



LEGISLATIVE ASSEMBLY
OF ONTARIO

BILLS
AS INTRODUCED IN THE HOUSE
TOGETHER WITH
REPRINTS AND THIRD READINGS

SESSION
FEBRUARY 12th to APRIL 2nd
1931



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No. 1

2ND SESSION, 18TH LEGISLATURE, ONTARIO
21 GEORGE V, 1931

BILL

An Act respecting the Municipality of Neebing.

MR. SPENCE

(PRIVATE BILL)

TORONTO
PRINTED BY HERBERT H. BALL
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

No. 1

1931

BILL

An Act respecting the Municipality of Neebing.

Preamble.

WHEREAS the corporation of the township of Neebing has by petition represented it is desirable in the interest of the ratepayers of the said municipality that all its assessment and collectors' rolls, all its collectors' returns, and all tax sales held prior to the thirty-first day of December, 1929, by the said corporation should be validated, and has by such petition prayed that an Act may be passed for such purposes; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Township of Neebing Act, 1931.*

Assessment
rolls, etc.,
confirmed.

2. All assessment rolls of the corporation of the township of Neebing heretofore finally revised, all collectors' rolls for taxes of the said corporation heretofore returned by the collectors thereof, and all collectors' returns of said rolls heretofore made are hereby validated and confirmed and declared to be binding upon and conclusive against all persons, parties or corporations affected thereby, notwithstanding any irregularity, fault or omission in the said assessment rolls, collectors' rolls or collectors' returns or in any matter or thing done or omitted to be done in relation thereto (including failure to distrain), and notwithstanding anything contained in any Act or Acts to the contrary.

Tax sales
and
conveyances
confirmed.

3.—(1) All sales of land within the township of Neebing made prior to the thirty-first day of December, 1929, which purport to have been made by the said corporation or its proper officers for arrears of taxes in respect of the lands so sold, are hereby validated and confirmed, and all conveyances of the lands so sold, executed, or which may or shall hereafter be executed by the proper officers of the said corporation

purporting to convey the said lands so sold to the purchaser thereof or his heirs or assigns, or to the said corporation, shall have the effect of vesting the lands so sold in the purchaser or his heirs or assigns, and his or their heirs and assigns or in the said corporation and its successors and assigns, as the case may be, in fee simple and clear of and free from all right, title and interest whatsoever of the owners thereof at the time of such sale, or their assigns, and of all charges and encumbrances thereon and dower therein, except taxes accruing after those for non-payment of which the said lands were sold.

Pending
litigation
not
affected.

4. Nothing in this Act contained shall affect or prejudice the rights of any person under any action, litigation or other proceeding now pending, but the same may be proceeded with and finally adjudicated upon in the same manner and to the same extent as if this Act had not been passed.

Commence-
ment of Act.

5. The provisions of this Act other than section 3 shall come into force on the day upon which it receives the Royal Assent. Section 3 shall come into force on July 1st, 1931.



BILL

An Act respecting the Municipality
of Needing.

1st Reading

2nd Reading

3rd Reading

MR. SPENCE

(*Private Bill*)

No. 1

2ND SESSION, 18TH LEGISLATURE, ONTARIO
21 GEORGE V, 1931

BILL

An Act respecting the Municipality of Neebing.

MR. SPENCE

TORONTO
PRINTED BY HERBERT H. BALL
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

No. 1

1931

BILL

An Act respecting the Municipality of Neebing.

Preamble

WHEREAS the corporation of the township of Neebing has by petition represented it is desirable in the interest of the ratepayers of the said municipality that all its assessment and collectors' rolls, all its collectors' returns, and all tax sales held prior to the thirty-first day of December, 1929, by the said corporation should be validated, and has by such petition prayed that an Act may be passed for such purposes; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Township of Neebing Act, 1931.*

Assessment rolls, etc., confirmed.

2.—(1) All assessment rolls of the corporation of the township of Neebing heretofore finally revised, all collectors' rolls for taxes of the said corporation heretofore returned by the collectors thereof, and all collectors' returns of said rolls heretofore made are hereby validated and confirmed and declared to be binding upon and conclusive against all persons, parties or corporations affected thereby, notwithstanding any irregularity, fault or omission in the said assessment rolls, collectors' rolls or collectors' returns or in any matter or thing done or omitted to be done in relation thereto (including failure to distrain), and notwithstanding anything contained in any Act or Acts to the contrary.

Application of provisions of subsection 1.

(2) The provisions of subsection 1 shall apply and extend only to assessment rolls, collectors' rolls and collectors' returns revised, returned and made prior to the 1st day of January, 1930.

Tax sales and conveyances confirmed.

3.—(1) All sales of land within the township of Neebing made prior to the thirty-first day of December, 1929, which purport to have been made by the said corporation or its proper

officers for arrears of taxes in respect of the lands so sold, are hereby validated and confirmed, and all conveyances of the lands so sold, executed, or which may or shall hereafter be executed by the proper officers of the said corporation purporting to convey the said lands so sold to the purchaser thereof or his heirs or assigns, or to the said corporation, shall have the effect of vesting the lands so sold in the purchaser or his heirs or assigns, and his or their heirs and assigns or in the said corporation and its successors and assigns, as the case may be, in fee simple and clear of and free from all right, title and interest whatsoever of the owners thereof at the time of such sale, or their assigns, and of all charges and encumbrances thereon and dower therein, except taxes accruing after those for non-payment of which the said lands were sold.

4. Nothing in this Act contained shall affect or prejudice the rights of any person under any action, litigation or other proceeding now pending, but the same may be proceeded with and finally adjudicated upon in the same manner and to the same extent as if this Act had not been passed. Pending litigation not affected.

5. The provisions of this Act other than section 3 shall come into force on the day upon which it receives the Royal Assent. Section 3 shall come into force on July 1st, 1931. Commencement of Act.

BILL

**An Act respecting the Municipality
of Neebing.**

1st Reading

February 17th, 1931

2nd Reading

March 6th, 1931

3rd Reading

March 13th, 1931

MR. SPENCE

2ND SESSION, 18TH LEGISLATURE, ONTARIO
21 GEORGE V, 1931

BILL

An Act respecting the City of East Windsor.

MR. WILSON (Windsor)

(PRIVATE BILL)

No. 2.

1931.

BILL

An Act respecting the City of East Windsor.

Preamble.

WHEREAS the corporation of the city of East Windsor has by its petition prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The City of East Windsor Act, 1931.*

"Corporation,"
meaning of.

2. In this Act, "Corporation" shall mean the corporation of the city of East Windsor.

Power to
construct
and main-
tain
subways, etc.

3. The corporation is hereby empowered to construct and maintain within the city of East Windsor the subways and other works which the Board of Railway Commissioners for Canada have authorized or ordered the corporation to construct under the Canadian National Railways where Drouillard Road and Wyandotte Street respectively now cross the same at rail level.

By-law
No. 975
confirmed.

4. By-law number 975 of the corporation, authorizing the construction of the said subways and works, is hereby confirmed and declared to be legal, valid and binding upon the corporation and the ratepayers thereof, and any works authorized to be constructed thereunder and all temporary advances heretofore made pending the completion of said works shall conclusively be deemed to have been legally undertaken, authorized, and obtained.

Power to
borrow to
defray cost
of work.
Rev. Stat.,
c. 233.

5. For the purposes above set forth, and notwithstanding anything contained in *The Municipal Act* or any other Act, the corporation may agree with any bank or person for temporary advances to meet the cost of any work undertaken pursuant to the provisions of the said by-law pending the

completion thereof and may, when the said work so undertaken is completed, pass by-laws to borrow on the credit of the corporation by the issue and sale of debentures, payable within thirty years from the date thereof, such sum or sums as shall be necessary to repay such advances and to defray the cost of the work so undertaken.

By-laws
subject to
approval of
Railway and
Municipal
Board.

6. Any by-law passed under the provisions of this Act shall be approved by the Railway and Municipal Board subsequent to the passage thereof, and no such by-law shall require the assent of the electors qualified to vote on money by-laws thereto, and every by-law so approved by the Railway and Municipal Board and any debentures of the corporation authorized thereby, shall conclusively be deemed to have been lawfully passed and authorized and shall be valid and binding upon the corporation and the ratepayers thereof, and the validity of any such by-law and of any work undertaken or constructed pursuant thereto and of any debentures issued thereunder, shall not be open to question in any court on any ground whatever.

Cost,—
what to
include.

7. The cost of any work undertaken pursuant hereto shall be deemed to include all costs of and incidental to any order of the Board of Railway Commissioners for Canada with regard to any works so undertaken and of any legislation dealing therewith and of all costs of and incidental to the expropriation and acquisition of lands required for any such work.

Application
of Rev.
Stat., c. 233.

8. Except as herein otherwise provided, the provisions of *The Municipal Act* shall apply to every by-law passed under the authority of this Act and the provisions hereof shall be deemed to be in addition to and not in derogation of any power, right or privilege which the corporation now enjoys under *The Municipal Act* or any other Act.

Commence-
ment of Act.

9. This Act shall come into force on the day upon which it receives the Royal Assent.

BILL

**An Act respecting the City of
East Windsor.**

1st Reading

2nd Reading

3rd Reading

Mr. Wilson (Windsor)

(Private Bill)

No. 2

2ND SESSION, 18TH LEGISLATURE, ONTARIO
21 GEORGE V, 1931

BILL

An Act respecting the City of East Windsor.

MR. WILSON (Windsor)

No. 2.

1931.

BILL

An Act respecting the City of East Windsor.

Preamble.

WHEREAS the corporation of the city of East Windsor has by its petition prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The City of East Windsor Act, 1931*.

"Corporation,"
meaning of.

2. In this Act, "Corporation" shall mean the corporation of the city of East Windsor.

Power to
construct
and main-
tain
subways, etc.

3. The corporation is hereby empowered to construct and maintain within the city of East Windsor the subways and other works which the Board of Railway Commissioners for Canada have authorized or ordered the corporation to construct under the Canadian National Railways where Drouillard Road and Wyandotte Street respectively now cross the same at rail level.

By-law
No. 975
confirmed.

4. By-law number 975 of the corporation, authorizing the construction of the said subways and works, is hereby confirmed and declared to be legal, valid and binding upon the corporation and the ratepayers thereof, and any works authorized to be constructed thereunder and all temporary advances heretofore made pending the completion of said works shall conclusively be deemed to have been legally undertaken, authorized, and obtained.

Power to
borrow to
defray cost
of work.
Rev. Stat.,
c. 233.

5. For the purposes above set forth, and notwithstanding anything contained in *The Municipal Act* or any other Act, the corporation may agree with any bank or person for temporary advances to meet the cost of any work undertaken pursuant to the provisions of the said by-law pending the

completion thereof and may, when the said work so undertaken is completed, pass by-laws to borrow on the credit of the corporation by the issue and sale of debentures, payable within thirty years from the date thereof, such sum or sums as shall be necessary to repay such advances and to defray the cost of the work so undertaken.

6. Any by-law passed under the provisions of this Act shall be approved by the Ontario Railway and Municipal Board subsequent to the passage thereof, and no such by-law shall require the assent of the electors qualified to vote on money by-laws thereto, and every by-law so approved by the Ontario Railway and Municipal Board and any debentures of the corporation authorized thereby, shall conclusively be deemed to have been lawfully passed and authorized and shall be valid and binding upon the corporation and the ratepayers thereof, and the validity of any such by-law and of any work undertaken or constructed pursuant thereto and of any debentures issued thereunder, shall not be open to question in any court on any ground whatever.

By-laws subject to approval of Ontario Railway and Municipal Board.

7. The cost of any work undertaken pursuant hereto shall be deemed to include all costs of and incidental to any order of the Board of Railway Commissioners for Canada with regard to any works so undertaken and of any legislation dealing therewith and of all costs of and incidental to the expropriation and acquisition of lands required for any such work.

Cost,—what to include.

8. Except as herein otherwise provided, the provisions of *The Municipal Act* shall apply to every by-law passed under the authority of this Act and the provisions hereof shall be deemed to be in addition to and not in derogation of any power, right or privilege which the corporation now enjoys under *The Municipal Act* or any other Act.

Application of Rev. Stat., c. 233.

9. This Act shall come into force on the day upon which it receives the Royal Assent.

Commencement of Act.

BILL

**An Act respecting the City of
East Windsor.**

1st Reading

February 17th, 1931

2nd Reading

March 27th, 1931

3rd Reading

March 31st, 1931

Mr. Wilson (Windsor)

No. 3

2ND SESSION, 18TH LEGISLATURE, ONTARIO

21 GEORGE V, 1931

BILL

An Act respecting the Town of Kenora.

MR. HUTCHINSON

(PRIVATE BILL)

TORONTO

PRINTED BY HERBERT H. BALL

PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

No. 3.

1931.

BILL

An Act respecting the Town of Kenora.

Preamble.

WHEREAS the corporation of the town of Kenora has by its petition prayed for special legislation to validate its by-law number 1027 and the guarantee thereunder by the said corporation of certain debentures to the amount of \$30,000 of the Kenora General Hospital issued under its by-law number 5, payment of which debentures is secured by a charge on the property of the said hospital; and whereas the said issue of debentures and the said guarantee thereof were authorized by chapter 104 of the Statutes of Ontario, 1929, being an Act respecting the said town; and whereas by the said petition the said corporation has also prayed for special legislation to confirm the incorporation, powers and privileges of the said hospital which was originally incorporated under the name of the Rat Portage Royal Jubilee Hospital Company but the charter of which company has been lost, rendering it now impossible to ascertain or define the powers, privileges and obligations of the said hospital; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Town of Kenora Act, 1931*.

Guaranty of
debentures
of hospital
by corpora-
tion
confirmed.

2. The guarantee by the corporation of the town of Kenora, pursuant to its by-law number 1027, of the debentures issued by the Kenora General Hospital is hereby confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof.

Hospital
declared a
valid and
subsisting
corporation.

3.—(1) The Kenora General Hospital is hereby declared to be now and since its incorporation in or about the year 1902 under the name of the Rat Portage Royal Jubilee Hospital Company at all times to have been a valid and subsisting corporation without share capital in accordance with the laws of the Province of Ontario, and the provisions of *The*

Rev. Stat.,
c. 218.

Companies Act and of all other Acts relating to or affecting corporations incorporated under the said Act shall apply thereto in the same manner and to the same extent as such provisions apply to any corporation incorporated under *The Companies Act*.

Vesting of
hospital
assets and
payment
of its
liabilities.

(2) All property, real and personal belonging to or held in trust for the said hospital either under the name of the Rat Portage Royal Jubilee Hospital Company or under the name of the Kenora General Hospital is hereby vested in the said corporation subject to all liabilities, debts and obligations affecting the same or owing by the said company, and the said corporation shall satisfy, pay and discharge all such liabilities, debts and obligations.

1929, c. 104,
not affected.

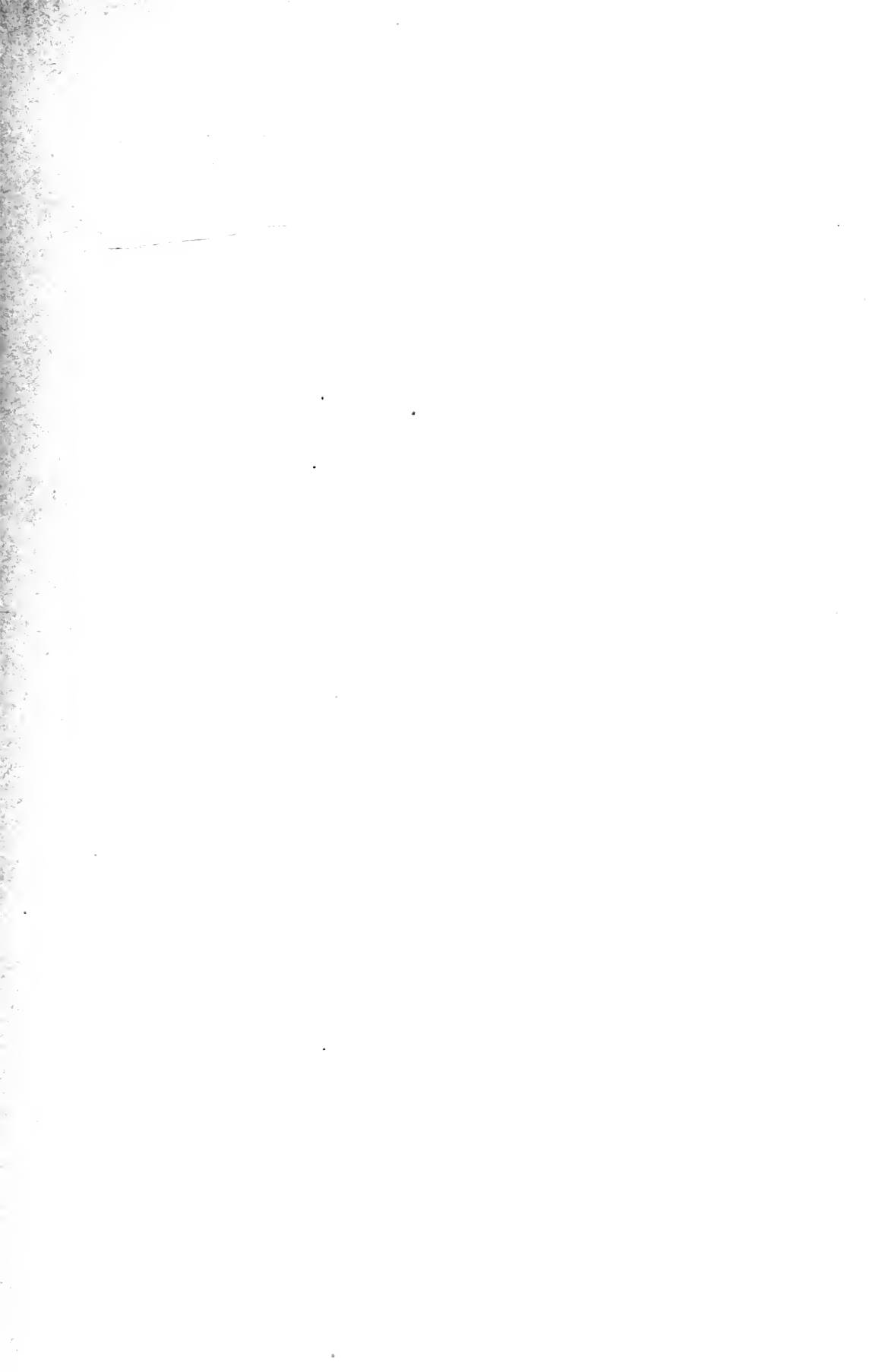
(3) Nothing in this section contained shall in any way limit or affect the Act respecting the Town of Kenora passed in the nineteenth year of the reign of His Majesty King George the Fifth, chaptered 104, the provisions of which shall remain in full force and effect for the purposes of the said corporation.

Hospital
by-law and
debentures
confirmed.

4. By-law number 5 of the Kenora General Hospital to borrow upon debentures of the said hospital for its purposes the sum of \$30,000 is hereby declared to be legal, valid and binding on the said hospital, and all debentures issued or to be issued thereunder are hereby declared to be legal, valid and binding obligations of the said hospital and a charge upon the properties and assets of the said hospital.

Commence-
ment of Act.

5. This Act shall come into force on the day upon which it receives the Royal Assent.



BILL

An Act respecting the Town of Kenora.

1st Reading

2nd Reading

3rd Reading

MR. HUTCHINSON

(*Private Bill*)

No. 3

2ND SESSION, 18TH LEGISLATURE, ONTARIO

21 GEORGE V, 1931

BILL

An Act respecting the Town of Kenora.

MR. HUTCHINSON

TORONTO

PRINTED BY HERBERT H. BALL

PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

No. 3.

1931.

BILL

An Act respecting the Town of Kenora.

Preamble.

WHEREAS the corporation of the town of Kenora has by its petition prayed for special legislation to validate its by-law number 1027 and the guarantee thereunder by the said corporation of certain debentures to the amount of \$30,000 of the Kenora General Hospital issued under its by-law number 5, payment of which debentures is secured by a charge on the property of the said hospital; and whereas the said issue of debentures and the said guarantee thereof were authorized by chapter 104 of the Statutes of Ontario, 1929, being an Act respecting the said town; and whereas by the said petition the said corporation has also prayed for special legislation to confirm the incorporation, powers and privileges of the said hospital which was originally incorporated under the name of the Rat Portage Royal Jubilee Hospital Company but the charter of which company has been lost, rendering it now impossible to ascertain or define the powers, privileges and obligations of the said hospital; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Town of Kenora Act, 1931*.

Guaranty of
debentures
of hospital
by corpora-
tion
confirmed.

2. The guarantee by the corporation of the town of Kenora, pursuant to its by-law number 1027, of the debentures issued by the Kenora General Hospital is hereby confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof.

Hospital
declared a
valid and
subsisting
corporation.

3.—(1) The Kenora General Hospital is hereby declared to be now and since its incorporation in or about the year 1902 under the name of the Rat Portage Royal Jubilee Hospital Company at all times to have been a valid and subsisting corporation without share capital in accordance with the laws of the Province of Ontario, and the provisions of *The*

Companies Act and of all other Acts relating to or affecting corporations incorporated under the said Act shall apply thereto in the same manner and to the same extent as such provisions apply to any corporation incorporated under *The Companies Act*. Rev. Stat., c. 218.

(2) All property, real and personal belonging to or held in trust for the said hospital either under the name of the Rat Portage Royal Jubilee Hospital Company or under the name of the Kenora General Hospital is hereby vested in the said corporation subject to all liabilities, debts and obligations affecting the same or owing by the said company, and the said corporation shall satisfy, pay and discharge all such liabilities, debts and obligations. Vesting of hospital assets and payment of its liabilities.

(3) Nothing in this section contained shall in any way limit or affect the Act respecting the Town of Kenora passed in the nineteenth year of the reign of His Majesty King George the Fifth, chaptered 104, the provisions of which shall remain in full force and effect for the purposes of the said corporation. 1929, c. 104, not affected.

4. By-law number 5 of the Kenora General Hospital to borrow upon debentures of the said hospital for its purposes the sum of \$30,000 is hereby declared to be legal, valid and binding on the said hospital, and all debentures issued or to be issued thereunder are hereby declared to be legal, valid and binding obligations of the said hospital and a charge upon the properties and assets of the said hospital. Hospital by-law and debentures confirmed.

5. This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

BILL

An Act respecting the Town of Kenora.

1st Reading

March 10th, 1931

2nd Reading

March 18th, 1931

3rd Reading

March 23rd, 1931

MR HUTCHINSON

No. 4

2ND SESSION, 18TH LEGISLATURE, ONTARIO
21 GEORGE V, 1931

BILL

An Act respecting the Town of Dundas.

MR. SHAVER

(PRIVATE BILL)

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TORONTO
PRINTED BY HERBERT H. BALL
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

No. 4

1931

BILL

An Act respecting the town of Dundas.

Preamble.

WHEREAS the corporation of the town of Dundas has by its petition prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Town of Dundas Act, 1931*.

By-laws
Nos. 1045
and 1046
and de-
bentures
confirmed.

2. By-law number 1045 of the corporation of the town of Dundas, passed on the 10th day of June, 1930, to provide for borrowing \$6,300 by the issue of debentures to pay for certain sewers, and by-law number 1046 of the said corporation passed on the 10th day of June, 1930, to provide for borrowing \$5,500 by the issue of debentures to pay for certain other sewers, and the debentures issued or to be issued thereunder are hereby declared to be legal, valid and binding upon the said corporation and the ratepayers thereof.

Commence-
ment of Act.

3. This Act shall come into force on the day upon which it receives the Royal Assent.

BILL

An Act respecting the Town of Dundas.

1st Reading

2nd Reading

3rd Reading

MR. SHAVER

(Private Bill)

No. 4

2ND SESSION, 18TH LEGISLATURE, ONTARIO
21 GEORGE V, 1931

BILL
An Act respecting the Town of Dundas.

MR. SHAVER

TORONTO
PRINTED BY HERBERT H. BALL
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

No. 4

1931

BILL

An Act respecting the town of Dundas.

Preamble.

WHEREAS the corporation of the town of Dundas has by its petition prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Town of Dundas Act, 1931*.

By-laws
Nos. 1045
and 1046
and de-
bentures
confirmed.

2. By-law number 1045 of the corporation of the town of Dundas, passed on the 10th day of June, 1930, to provide for borrowing \$6,300 by the issue of debentures to pay for certain sewers, and by-law number 1046 of the said corporation passed on the 10th day of June, 1930, to provide for borrowing \$5,500 by the issue of debentures to pay for certain other sewers, and the debentures issued or to be issued thereunder are hereby declared to be legal, valid and binding upon the said corporation and the ratepayers thereof.

Commence-
ment of Act.

3. This Act shall come into force on the day upon which it receives the Royal Assent.

BILL

An Act respecting the Town of Dundas.

1st Reading

March 10th, 1931

2nd Reading

March 18th, 1931

3rd Reading

March 23rd, 1931

MR. SHAVER

No. 5

2ND SESSION, 18TH LEGISLATURE, ONTARIO
21 GEORGE V, 1931

BILL

An Act respecting the Town of Riverside.

MR. WILSON (Windsor)

(PRIVATE BILL)

TORONTO
PRINTED BY HERBERT H. BALL
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

BILL

An Act respecting the Town of Riverside.

Preamble.

WHEREAS the corporation of the town of Riverside has by its petition represented that it has incurred a floating debt of approximately \$456,032.40, which has accumulated over a period of years by reason of insufficient collection of taxes imposed in respect of permanent improvements and the ordinary and usual obligations and requirements of the municipality and by reason of certain unforeseen and uncontrollable expenditures imposed upon the municipality, and that to liquidate the said floating indebtedness forthwith in addition to meeting the ordinary annual expenditures would be unduly oppressive to the ratepayers, and has prayed that power should be granted to consolidate the said floating debt and to issue and sell debentures in an amount not exceeding the sum of \$550,000 for the purpose of paying the said floating debt; and that power should be granted to borrow money and to issue and sell debentures to meet certain principal payments maturing and payable in respect of outstanding debentures of the said corporation; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title. **1.** This Act may be cited as *The Town of Riverside Act, 1931*.

Interpretation. **2.** In this Act,—

"Corporation." (a) "Corporation" shall mean the corporation of the town of Riverside;

"Council." (b) "Council" shall mean the council of the corporation of the town of Riverside;

"Municipality." (c) "Municipality" shall mean the municipality of the town of Riverside.

Floating
debt
consolidated.

3. The floating debt of the corporation is consolidated at the sum of \$456,032.40 and the corporation may borrow by a special issue of debentures a sum not exceeding \$550,000 for the purpose of paying the said floating debt.

Power to
borrow by
special
issue of
debentures.

4. The corporation may agree from time to time with any bank or person for temporary advances sufficient, together with any other moneys of the corporation available therefor, to pay the total amount of principal and interest payments maturing and payable after the 15th day of January, 1931, and on or before the 31st day of December, 1931, in respect of outstanding debentures of the corporation, and may at any time after the 31st day of December, 1931, by by-law authorize the issue and sale of debentures for such amount as may be necessary to realize the net sum required to repay the amount of such temporary advances and the interest and carrying charges thereon, and a recital in such by-law to the effect that the amount of the debentures authorized is necessary to realize the said net sum, shall be conclusive evidence of the fact. The corporation may also from time to time agree with the bank or person making such temporary advances to issue and to hypothecate the said debentures or any of them, when authorized, as security for the said temporary advances.

Term of
debentures
and rate of
interest.

5. The debentures authorized by this Act shall be payable in not more than fifteen years from the date of issue thereof and shall bear interest at a rate not exceeding six per cent. per annum and may be issued either with or without coupons attached thereto for interest and shall be payable at such place or places as the council may deem expedient and may be sold either at par or at a discount or at a premium as the council may deem expedient.

Payment on
instalment
plan.

6. The said debentures shall be payable in equal annual instalments of principal and interest in such manner and of such amounts that the amount payable for principal and interest in any year shall be equal as nearly as may be to what is payable for principal and interest during each of the other years of the period within which the said debts are to be discharged.

Application
of proceeds
from sale of
debentures.

7. The said debentures and all moneys arising from the sale thereof shall be applied in the payment of the said floating debt or in the repayment of temporary advances provided for in section 4 of this Act, as the case may be, and for no other purposes.

Assent of
electors not
required.

8. It shall not be necessary to obtain the assent of the electors of the municipality qualified to vote on money by-laws to the passing of any by-law which shall be passed under the authority of this Act, or to observe the formalities in relation thereto prescribed by *The Municipal Act*.

Rev. Stat.,
c. 233.

Application
of moneys
derived from
arrears of
taxes.

9. All arrears of taxes levied in the year 1931 and any year prior thereto, which are outstanding at the date of issue of the said debentures, shall be set aside as security for the payment of the said debentures and interest thereon, and shall be paid into The Canadian Bank of Commerce to the credit of a special account for such purpose and the moneys from time to time received or realized by the corporation from such arrears of taxes and standing to the credit of such special account shall be applied, first, in payment of interest on the debentures and thereafter in payment of instalments of principal next maturing in respect of said debentures or in the redemption of unmatured debentures as hereinafter provided.

Special rate.

10. The corporation shall levy and collect in each year during the currency of the said debentures, in addition to all other rates, a special rate on all the rateable property in the municipality sufficient to produce and pay the instalments of principal and interest falling due upon the said debentures, provided that all moneys received or realized by the corporation from arrears of taxes and expended by the corporation as hereinbefore provided for interest and principal shall be applied annually to the reduction or extinguishment of the rates required to be levied under any by-law for the issue of debentures authorized by this Act, and it shall not be necessary to levy any special rate to provide for principal or interest, or any payment on account of such debentures except to the extent to which the amount received or realized from the arrears of taxes aforesaid is insufficient to meet the annual payments falling due on account of interest and principal in respect of the debentures, and provided further that if in any year the proceeds of such arrears of taxes are more than sufficient to meet the payments for interest and principal falling due in respect of the debentures, the surplus shall be kept set aside and, subject to the provisions of section 11, shall be applied against the requirements of the next succeeding year or years.

Redemption
of
debentures.

11. The corporation may apply any moneys to the credit of the special account mentioned in section 10 of this Act or any other moneys at its disposal in the redemption of unmatured debentures issued pursuant to this Act, in such manner that the earliest maturing outstanding debentures shall first be redeemed.

Irregularity
in form
not to
invalidate.

12. No irregularity in the form of the said debentures, or any of them, or of any by-law authorizing the issue thereof, shall render the same invalid or illegal, or be allowed as a defence to any action brought against the corporation for the recovery of the said debentures or interest or any part thereof; and the purchaser or holder thereof shall not be bound to

enquire as to the necessity of passing such by-law or issuing debentures or as to the application of the proceeds thereof.

Treasurer to
keep books
of account.

13. It shall be the duty of the treasurer for the time being of the corporation to keep, and it shall be the duty of each of the members, from time to time, of the council, to procure such treasurer to keep, and see that he does keep, a proper book of account setting forth a full and particular statement so that the same shall at all times show the number of debentures which, from time to time, shall be issued under the powers conferred by this Act, and the respective amounts payment of which is thereby secured, and the times at which the said debentures shall respectively become due and payable and the several amounts which shall from time to time be realized from the sales or negotiations of the said debentures and the application which shall from time to time be made of the said amounts and the amount of arrears of taxes outstanding at the date of issue of the said debentures and the amounts which shall from time to time be received or realized on account thereof, and the said book of account and statement shall at all times and at all reasonable hours be open to the inspection of any ratepayer of the said town and of any of the holders from time to time of the debentures which shall be issued under the powers hereby conferred, or any of such debentures.

Application
of provisions
of Rev. Stat.,
c. 233, to
borrowings.

14. Except as herein otherwise provided the provisions of *The Municipal Act* shall apply to all borrowings effected and debentures issued pursuant to this Act.

By-law
No. 302 "C"
confirmed.

15. By-law number 302 "C" of the corporation set forth in schedule "1" hereto is hereby confirmed and declared to be legal, valid and binding on the corporation and the rate-payers thereof and any works authorized to be constructed thereunder and all temporary advances heretofore made pending the completion of the said works shall conclusively be deemed to have been legally undertaken and authorized.

Commence-
ment of Act.

16. This Act shall come into force on the day upon which it receives the Royal Assent.

SCHEDULE "1"

TOWN OF RIVERSIDE

CONSTRUCTION BY-LAW NUMBER 302C

A By-law to authorize the construction of certain works as local improvements under the provisions of *The Local Improvement Act*.

Whereas petitions have been received by the Council for the construction, as local improvements, of the works set forth in Schedule "A" hereto annexed, and the Clerk has certified that each of the petitions is sufficient and that it is expedient to grant the prayer of the petitions in the manner hereinafter provided.

And whereas the Council has procured reports in regard to each of said works as required by Section 34 of *The Local Improvement Act*.

And whereas each of the said reports is hereby adopted.

Therefore the Municipal Council of the Town of Riverside, enacts as follows:—

1. That the works set forth in said Schedule "A" shall be constructed along the shores and between the points as therein mentioned as local improvements under the provisions of *The Local Improvement Act*.

2. The Engineer of the Corporation do forthwith make such plans, profiles and specifications and furnish such information as may be necessary for the making of a contract for the execution of the work.

3. The work shall be carried on and executed under the superintendence and according to the directions and orders of such Engineer.

4. The Mayor and Clerk are authorized to cause a contract for the construction of the work to be made and entered into with some person or persons, firm or corporation, subject to the approval of this Council to be declared by resolution.

5. The Treasurer may, subject to the approval of the Council agree with any bank or person for temporary advances of money to meet the cost of the work pending the completion of it.

6. The special assessment for each of the said works shall be paid by the number of annual instalments as set forth in column six of said Schedule "A."

7. The debentures to be issued for the loan to be effected to pay for the cost of each of the said works when completed shall bear interest at such rate as the Council may determine and be made payable on the instalment plan within the number of years as shown in column seven of said Schedule "A."

8. Any person whose lot is specially assessed may commute for a payment in cash the special rates imposed thereon, by paying the portion of the cost of construction assessed upon such lot, without the interest, forthwith after the special Assessment Roll has been duly certified by the Clerk, and at any time thereafter by the payment of such sum as when invested at four per cent. (4%) per annum will provide an annuity sufficient to pay the special rates for the unexpired portion of the term as they fall due.

Passed this 3rd day of November, A.D. 1930.

(SEAL)

H. A. DOUILLARD, Mayor.
C. J. McHUGH, Clerk.

Schedule "A"

1 No.	2 Nature of Work	3 Location of Work	4 From	5 To	6 Number of instalments by which assessment payable	7 Currency of debentures
1	A Breakwater	Along the shore of Lake St. Clair.	The limit between the east and west halves of Farm Lot 141.	The limit between the east and west halves of Farm Lot 147.	30	30
2	A Breakwater	Along the shore of Lake St. Clair.	The limit between the east and west halves of Farm Lot 147.	A point 52 feet west of the limit between the east and west halves of Farm Lot 149	30	30

BILL

An Act respecting the Town of Riverside.

1st Reading

2nd Reading

3rd Reading

MR. WILSON (Windsor)

(*Private Bill*)

No. 5

2ND SESSION, 18TH LEGISLATURE, ONTARIO
21 GEORGE V, 1931

BILL

An Act respecting the Town of Riverside.

MR. WILSON (Windsor)

(PRIVATE BILL)

No. 5

1931

BILL

An Act respecting the Town of Riverside.

Preamble.

WHEREAS the corporation of the town of Riverside has by its petition represented that it has incurred a floating debt of approximately \$516,437.11, which has accumulated over a period of years by reason of insufficient collection of taxes imposed in respect of permanent improvements and the ordinary and usual obligations and requirements of the municipality and by reason of certain unforeseen and uncontrollable expenditures imposed upon the municipality, and that to liquidate the said floating indebtedness forthwith in addition to meeting the ordinary annual expenditures would be unduly oppressive to the ratepayers, and has prayed that power should be granted to consolidate the said floating debt and to issue and sell debentures in an amount not exceeding the sum of \$525,000 for the purpose of paying the said floating debt; and that power should be granted to issue and hypothecate or sell debentures for certain other purposes; and also that special legislation be enacted in respect to certain other matters as hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.

1. This Act may be cited as *The Town of Riverside Act, 1931.*

Interpretation.

2. In this Act,—

"Corporation."

(a) "Corporation" shall mean the corporation of the town of Riverside;

"Council."

(b) "Council" shall mean the council of the corporation;

"Director."

(c) "Director" shall mean the Director of the Bureau of Municipal Affairs;

"Municipal Board."

(d) "Municipal Board" shall mean the Ontario Railway and Municipal Board;

"Municipality."

(e) "Municipality" shall mean the municipality of the town of Riverside.

Floating debt consolidated.

3. The floating debt of the corporation is consolidated at the sum of \$516,437.11, and the corporation may borrow by a special issue of debentures a sum not exceeding \$525,000 for the purpose of paying the said floating debt.

Debentures, term and interest.

4. The debentures authorized by section 3 shall be payable in not more than fifteen years from the date of issue thereof and shall bear interest at a rate not exceeding six per cent. per annum and may be issued either with or without coupons attached thereto for interest and shall be payable at such place or places as the council may deem expedient.

Instalment debentures.

5. The said debentures shall be payable in equal annual instalments of principal and interest in such manner and of such amounts that the amount payable for principal and interest in any year shall be equal as nearly as may be to what is payable for principal and interest during each of the other years of the period within which the said debts are to be discharged.

Application of proceeds

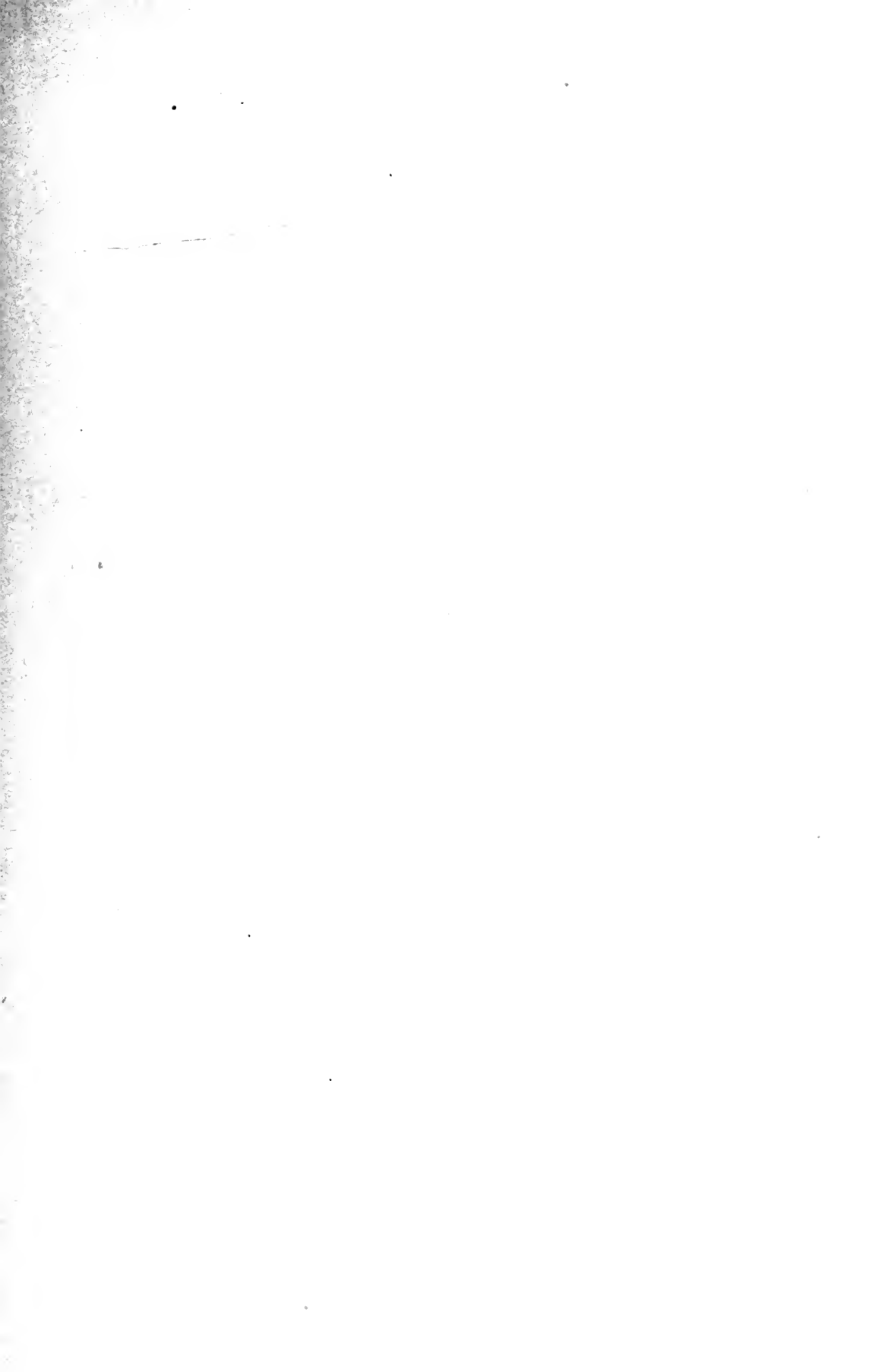
6. The said debentures and all moneys arising from the sale thereof shall be applied in the payment of the said floating debt and for no other purpose.

Application of arrears of taxes.

7. All arrears of taxes levied in the year 1930 and any year prior thereto, which are outstanding at the date of issue of the debentures authorized by section 3 shall be set aside as security for the payment of the said debentures and interest thereon, and shall be paid into such chartered bank of Canada as may be approved by the Director to the credit of a special account for such purpose, and the moneys from time to time received or realized by the corporation from such arrears of taxes and standing to the credit of such special account shall be applied, first, in payment of interest on the said debentures and thereafter in payment of instalments of principal next maturing in respect of said debentures or in the redemption of unmatured debentures as hereinafter provided.

Special rates.

8. The corporation shall levy and collect in each year during the currency of the said debentures, in addition to all other rates, a special rate on all the rateable property in the municipality sufficient to produce and pay the instalments of principal and interest falling due upon all such debentures, provided that all moneys received or realized by the corporation from the arrears of taxes hereinbefore referred to shall be applied annually to the reduction or extinguishment of the rates required to be levied under any by-law for the issue of



said debentures, and it shall not be necessary to levy any special rate to provide for principal or interest, or any payment on account of the said debentures except to the extent to which the amount received or realized from the arrears of taxes aforesaid is insufficient to meet the annual payments falling due on account of interest and principal in respect thereof, and provided further that if in any year the proceeds of such arrears of taxes are more than sufficient to meet the payments for interest and principal falling due in respect of the said debentures, the surplus shall be kept set aside and, subject to the provisions of section 9, shall be applied against the requirements of the next succeeding year or years.

Redemption
of debentures.

9. The corporation may apply any moneys to the credit of the special account mentioned in section 7 or any other moneys at its disposal in the redemption of unmatured debentures authorized by section 3, in such manner that the earliest maturing outstanding debentures shall first be redeemed.

Yearly
estimates to
be approved
by Director.

10. The council shall, not later than the 1st day of April in every year submit for the approval of the Director the yearly estimates prepared under the provisions of *The Municipal Act* and the Director may amend or vary the same as he may see fit and the estimates as finally approved by him shall, for the purposes of the said Act, be the estimates upon which the council shall thereafter levy such rates for the current year as may be approved by the Director.

Limitation
upon ex-
penditures.

11. The council shall not expend any money or incur any liabilities not provided for in the estimates approved by the Director without his consent being first obtained thereto.

Limitation
upon new
works, etc.

12. Save as herein otherwise provided, the corporation shall not under the provisions of any special or general Act undertake any work or expend any moneys or incur any liabilities which will require the issue of debentures of the corporation to pay for the cost of such work or to repay such expenditures or meet such liabilities without the approval of the Municipal Board being first obtained.

Financial
statements
for Director.

13. The council shall, from time to time when required by the Director, furnish the Director with a statement, certified by the auditor of the corporation, in such form as the Director may require, of receipts and expenditures during such period as may be designated by the Director and such estimates of future receipts and expenditures as the Director may require.

Tax
statements
for Director.

14. The council shall also, whenever required by the Director, submit to the director a statement or statements

showing all current taxes and arrears of taxes which are outstanding and unpaid, and such information as to the steps and proceedings taken for the collection of such taxes and arrears of taxes as the Director may require.

Assessment
statements
for Director.

15. The council shall from time to time when required by the Director furnish the Director with such statements and particulars as to the assessment rolls of the municipality as he may require.

Current
loans to be
approved.

16. The council shall not exercise the power conferred by section 334 of *The Municipal Act* except with the approval of the Director first obtained thereto and then only in accordance with the terms of any such approval.

Issue of
debentures
to repay
loans.

17. Notwithstanding the provisions of section 12, the corporation may, from time to time with the approval of the Director, issue and hypothecate or sell debentures to realize the moneys necessary to repay the amount of any sums borrowed with his approval under the provisions of section 16 and remaining unpaid, but no by-law authorizing the issue of such debentures shall be finally passed by the council until the form of the by-law, the amount and term of the debentures and the rate of interest thereon have been approved by the Director.

Special rates.

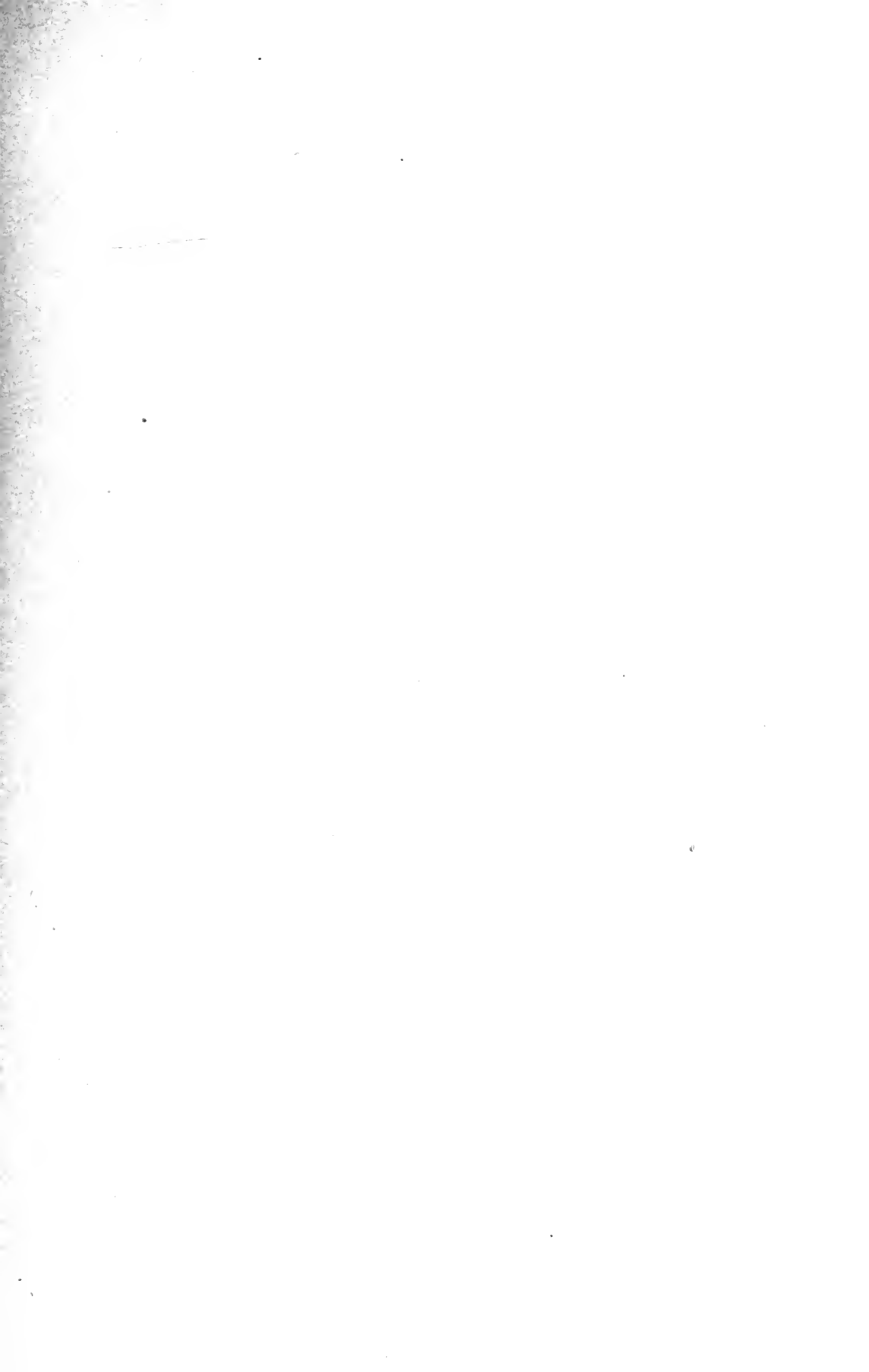
18. The corporation shall levy and collect in each year during the currency of any debentures issued under the authority of section 17, in addition to all other rates, a special rate on all the rateable property in the municipality sufficient to produce and pay the instalments of principal and interest falling due upon such debentures.

Observance
of directions
given by
Director.

19.—(1) The Director may from time to time as he may deem expedient give such directions to the council and officers of the corporation for the due carrying out and observance of the provisions of *The Municipal Act*, *The Assessment Act* and this Act.

(2) It shall be the duty of the council and of every member thereof and of every officer of the corporation to carry out, observe and perform the provisions of this Act and of every direction given by the Director under this Act.

(3) Every member of the council and every officer of the corporation who directly or indirectly violates or is a party to the violation of any of the provisions of this Act or of any direction given by the Director, shall incur a penalty of not less than \$100 and not more than \$500, recoverable under *The Summary Convictions Act*.



Auditor.

20. The auditor of the corporation shall be appointed with the approval of the Director and shall not be removed from office without the consent of the Director.

Assent of electors not necessary.

21. It shall not be necessary to obtain the assent of the electors of the municipality qualified to vote on money by-laws to the passing of any by-law which shall be passed under the authority of this Act, or to observe the formalities in relation thereto prescribed by *The Municipal Act*.

Irregularities not to invalidate debentures.

22. No irregularity in the form of the said debentures, or any of them, or of any by-law authorizing the issue thereof, shall render the same invalid or illegal, or be allowed as a defence to any action brought against the corporation for the recovery of the said debentures or interest or any part thereof; and the purchaser or holder thereof shall not be bound to enquire as to the necessity of passing such by-law or issuing debentures or as to the application of the proceeds thereof.

Treasurer to keep special books.

23. It shall be the duty of the treasurer for the time being of the corporation to keep, and it shall be the duty of each of the members, from time to time, of the council, to procure such treasurer to keep, and see that he does keep, a proper book of account setting forth a full and particular statement so that the same shall at all times show the number of debentures, which, from time to time, shall be issued under the powers conferred by this Act, and the respective amounts payment of which is thereby secured, and the times at which the said debentures shall respectively become due and payable and the several amounts which shall from time to time be realized from the sales or negotiations of the said debentures and the application which shall from time to time be made of the said amounts and the amount of arrears of taxes outstanding at the date of issue of the said debentures and the amounts which shall from time to time be received or realized on account thereof, and the said book of account and statement shall at all times and at all reasonable hours be open to the inspection of any ratepayer of the said town and of any of the holders from time to time of the debentures which shall be issued under the powers hereby conferred, or any of such debentures.

Rev. Stat., c. 233 to apply.

24. Except as herein otherwise provided, the provisions of *The Municipal Act* shall apply to all borrowings effected and debentures issued pursuant to this Act.

By-law No. 302 C, confirmed.

25. By-law number 302 C of the corporation set forth in schedule "1" hereto is hereby confirmed and declared to be legal, valid and binding on the corporation and the ratepayers thereof and any works authorized to be constructed thereunder

and all temporary advances heretofore made pending the completion of the said works shall conclusively be deemed to have been legally undertaken and authorized, and the cost of each work described in said By-law number 302 C, after deducting any contributions shall be assessed in accordance with the engineer's report procured and adopted by the council in respect thereto upon the lands specified therein and there shall be included in the cost of each said work the following items:

- (a) Any sum expended in obtaining from the Department of Lands and Forests of Ontario a patent of lands on the south side of the work, including all legal fees and expenses incidental thereto and incidental to the conveyance of the lands therein described or any portion thereof to the respective owners entitled thereto;
- (b) Any sum expended in completing the earth fill south of the work.

Commence-
ment of Act.

25. This Act shall come into force on the day upon which it receives the Royal Assent.

SCHEDULE "1"

TOWN OF RIVERSIDE

CONSTRUCTION BY-LAW NUMBER 302C

A By-law to authorize the construction of certain works as local improvements under the provisions of *The Local Improvement Act*.

Whereas petitions have been received by the Council for the construction, as local improvements, of the works set forth in Schedule "A" hereto annexed, and the Clerk has certified that each of the petitions is sufficient and that it is expedient to grant the prayer of the petitions in the manner hereinafter provided.

And whereas the Council has procured reports in regard to each of said works as required by Section 34 of *The Local Improvement Act*.

And whereas each of the said reports is hereby adopted.

Therefore the Municipal Council of the Town of Riverside, enacts as follows:—

1. That the works set forth in said Schedule "A" shall be constructed along the shores and between the points as therein mentioned as local improvements under the provisions of *The Local Improvement Act*.

2. The Engineer of the Corporation do forthwith make such plans, profiles and specifications and furnish such information as may be necessary for the making of a contract for the execution of the work.

3. The work shall be carried on and executed under the superintendence and according to the directions and orders of such Engineer.

4. The Mayor and Clerk are authorized to cause a contract for the construction of the work to be made and entered into with some person or persons, firm or corporation, subject to the approval of this Council to be declared by resolution.

5. The Treasurer may, subject to the approval of the Council agree with any bank or person for temporary advances of money to meet the cost of the work pending the completion of it.

6. The special assessment for each of the said works shall be paid by the number of annual instalments as set forth in column six of said Schedule "A."

7. The debentures to be issued for the loan to be effected to pay for the cost of each of the said works when completed shall bear interest at such rate as the Council may determine and be made payable on the instalment plan within the number of years as shown in column seven of said Schedule "A."

8. Any person whose lot is specially assessed may commute for a payment in cash the special rates imposed thereon, by paying the portion of the cost of construction assessed upon such lot, without the interest, forthwith after the special Assessment Roll has been duly certified by the Clerk, and at any time thereafter by the payment of such sum as when invested at four per cent. (4%) per annum will provide an annuity sufficient to pay the special rates for the unexpired portion of the term as they fall due.

Passed this 3rd day of November, A.D. 1930.

(SEAL)

H. A. DOUILLARD, *Mayor*.
C. J. McHUGH, *Clerk*.



Schedule "A"

1 No.	2 Nature of Work	3 Location of Work	4 From	5 To	6 Number of instalments by which assessment payable	7 Currency of debentures
1	A Breakwater	Along the shore of Lake St. Clair.	The limit between the east and west halves of Farm Lot 141.	The limit between the east and west halves of Farm Lot 147.	30	30
2	A Breakwater	Along the shore of Lake St. Clair.	The limit between the east and west halves of Farm Lot 147.	A point 52 feet west of the limit between the east and west halves of Farm Lot 149	30	30

BILL

An Act respecting the Town of Riverside.

1st Reading

February 17th, 1931

2nd Reading

3rd Reading

MR. WILSON (Windsor)

*(Reprinted with suggested amendments for
consideration by the Private Bills
Committee)*

No. 5

2ND SESSION, 18TH LEGISLATURE, ONTARIO

21 GEORGE V, 1931

BILL

An Act respecting the Town of Riverside.

MR. WILSON (Windsor)

TORONTO

PRINTED BY HERBERT H. BALL

PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

No. 5

1931

BILL

An Act respecting the Town of Riverside.

Preamble.

WHEREAS the corporation of the town of Riverside has by its petition represented that it has incurred a floating debt of approximately \$516,437.11, which has accumulated over a period of years by reason of insufficient collection of taxes imposed in respect of permanent improvements and the ordinary and usual obligations and requirements of the municipality and by reason of certain unforeseen and uncontrollable expenditures imposed upon the municipality, and that to liquidate the said floating indebtedness forthwith in addition to meeting the ordinary annual expenditures would be unduly oppressive to the ratepayers, and has prayed that power should be granted to consolidate the said floating debt and to issue and sell debentures in an amount not exceeding the sum of \$525,000 for the purpose of paying the said floating debt; and that power should be granted to issue and hypothecate or sell debentures for certain other purposes; and also that special legislation be enacted in respect to certain other matters as hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.

1. This Act may be cited as *The Town of Riverside Act, 1931.*

Interpre-
tation.

2. In this Act,—

"Cor-
poration."

(a) "Corporation" shall mean the corporation of the town of Riverside;

"Council."

(b) "Council" shall mean the council of the corporation;

"Director."

(c) "Director" shall mean the Director of the Bureau of Municipal Affairs;

"Municipal
Board."

(d) "Municipal Board" shall mean the Ontario Railway and Municipal Board;

(e) "Municipality" shall mean the municipality of the ^{"Municipality."} town of Riverside.

3. The floating debt of the corporation is consolidated at ^{Floating debt consolidated.} the sum of \$516,437.11, and the corporation may borrow by a special issue of debentures a sum not exceeding \$525,000 for the purpose of paying the said floating debt.

4. The debentures authorized by section 3 shall be payable ^{Debentures, term and interest.} in not more than fifteen years from the date of issue thereof and shall bear interest at a rate not exceeding six per cent. per annum and may be issued either with or without coupons attached thereto for interest and shall be payable at such place or places as the council may deem expedient.

5. The said debentures shall be payable in equal annual ^{Instalment debentures.} instalments of principal and interest in such manner and of such amounts that the amount payable for principal and interest in any year shall be equal as nearly as may be to what is payable for principal and interest during each of the other years of the period within which the said debts are to be discharged.

6. The said debentures and all moneys arising from the ^{Application of proceeds.} sale thereof shall be applied in the payment of the said floating debt and for no other purpose.

7. All arrears of taxes levied in the year 1930 and any year ^{Application of arrears of taxes.} prior thereto, which are outstanding at the date of issue of the debentures authorized by section 3 shall be set aside as security for the payment of the said debentures and interest thereon, and shall be paid into such chartered bank of Canada as may be approved by the Director to the credit of a special account for such purpose, and the moneys from time to time received or realized by the corporation from such arrears of taxes and standing to the credit of such special account shall be applied, first, in payment of interest on the said debentures and thereafter in payment of instalments of principal next maturing in respect of said debentures or in the redemption of unmatured debentures as hereinafter provided.

8. The corporation shall levy and collect in each year ^{Special rates.} during the currency of the said debentures, in addition to all other rates, a special rate on all the rateable property in the municipality sufficient to produce and pay the instalments of principal and interest falling due upon all such debentures, provided that all moneys received or realized by the corporation from the arrears of taxes hereinbefore referred to shall be applied annually to the reduction or extinguishment of the rates required to be levied under any by-law for the issue of

said debentures, and it shall not be necessary to levy any special rate to provide for principal or interest, or any payment on account of the said debentures except to the extent to which the amount received or realized from the arrears of taxes aforesaid is insufficient to meet the annual payments falling due on account of interest and principal in respect thereof, and provided further that if in any year the proceeds of such arrears of taxes are more than sufficient to meet the payments for interest and principal falling due in respect of the said debentures, the surplus shall be kept set aside and, subject to the provisions of section 9, shall be applied against the requirements of the next succeeding year or years.

Redemption
of debentures.

9. The corporation may apply any moneys to the credit of the special account mentioned in section 7 or any other moneys at its disposal in the redemption of unmatured debentures authorized by section 3, in such manner that the earliest maturing outstanding debentures shall first be redeemed.

Yearly
estimates to
be approved
by Director.

10. The council shall, not later than the 1st day of April in every year submit for the approval of the Director the yearly estimates prepared under the provisions of *The Municipal Act* and the Director may amend or vary the same as he may see fit and the estimates as finally approved by him shall, for the purposes of the said Act, be the estimates upon which the council shall thereafter levy such rates for the current year as may be approved by the Director.

Limitation
upon ex-
penditures.

11. The council shall not expend any money or incur any liabilities not provided for in the estimates approved by the Director without his consent being first obtained thereto.

Limitation
upon new
works, etc.

12. Save as herein otherwise provided, the corporation shall not under the provisions of any special or general Act undertake any work or expend any moneys or incur any liabilities which will require the issue of debentures of the corporation to pay for the cost of such work or to repay such expenditures or meet such liabilities without the approval of the Municipal Board being first obtained.

Financial
statements
for Director.

13. The council shall, from time to time when required by the Director, furnish the Director with a statement, certified by the auditor of the corporation, in such form as the Director may require, of receipts and expenditures during such period as may be designated by the Director and such estimates of future receipts and expenditures as the Director may require.

Tax
statements
for Director.

14. The council shall also, whenever required by the Director, submit to the Director a statement or statements

showing all current taxes and arrears of taxes which are outstanding and unpaid, and such information as to the steps and proceedings taken for the collection of such taxes and arrears of taxes as the Director may require.

15. The council shall from time to time when required by the Director furnish the Director with such statements and particulars as to the assessment rolls of the municipality as he may require. Assessment statements for Director.

16. The council shall not exercise the power conferred by section 334 of *The Municipal Act* except with the approval of the Director first obtained thereto and then only in accordance with the terms of any such approval. Current loans to be approved

17. Notwithstanding the provisions of section 12, the corporation may, from time to time with the approval of the Director, issue and hypothecate or sell debentures to realize the moneys necessary to repay the amount of any sums borrowed with his approval under the provisions of section 16 and remaining unpaid, but no by-law authorizing the issue of such debentures shall be finally passed by the council until the form of the by-law, the amount and term of the debentures and the rate of interest thereon have been approved by the Director. Issue of debentures to repay loans.

18. The corporation shall levy and collect in each year during the currency of any debentures issued under the authority of section 17, in addition to all other rates, a special rate on all the rateable property in the municipality sufficient to produce and pay the instalments of principal and interest falling due upon such debentures. Special rates.

19.—(1) The Director may from time to time as he may deem expedient give such directions to the council and officers of the corporation for the due carrying out and observance of the provisions of *The Municipal Act*, *The Assessment Act* and this Act. Observance of directions given by Director.

(2) It shall be the duty of the council and of every member thereof and of every officer of the corporation to carry out, observe and perform the provisions of this Act and of every direction given by the Director under this Act.

(3) Every member of the council and every officer of the corporation who directly or indirectly violates or is a party to the violation of any of the provisions of this Act or of any direction given by the Director, shall incur a penalty of not less than \$100 and not more than \$500, recoverable under *The Summary Convictions Act*.

Auditor.

20. The auditor of the corporation shall be appointed with the approval of the Director and shall not be removed from office without the consent of the Director.

Assent of electors not necessary.

21. It shall not be necessary to obtain the assent of the electors of the municipality qualified to vote on money by-laws to the passing of any by-law which shall be passed under the authority of this Act, or to observe the formalities in relation thereto prescribed by *The Municipal Act*.

Irregularities not to invalidate debentures.

22. No irregularity in the form of the said debentures, or any of them, or of any by-law authorizing the issue thereof, shall render the same invalid or illegal, or be allowed as a defence to any action brought against the corporation, for the recovery of the said debentures or interest or any part thereof; and the purchaser or holder thereof shall not be bound to enquire as to the necessity of passing such by-law or issuing debentures or as to the application of the proceeds thereof.

Treasurer to keep special books.

23. It shall be the duty of the treasurer for the time being of the corporation to keep, and it shall be the duty of each of the members, from time to time, of the council, to procure such treasurer to keep, and see that he does keep, a proper book of account setting forth a full and particular statement so that the same shall at all times show the number of debentures, which, from time to time, shall be issued under the powers conferred by this Act, and the respective amounts payment of which is thereby secured, and the times at which the said debentures shall respectively become due and payable and the several amounts which shall from time to time be realized from the sales or negotiations of the said debentures and the application which shall from time to time be made of the said amounts and the amount of arrears of taxes outstanding at the date of issue of the said debentures and the amounts which shall from time to time be received or realized on account thereof, and the said book of account and statement shall at all times and at all reasonable hours be open to the inspection of any ratepayer of the said town and of any of the holders from time to time of the debentures which shall be issued under the powers hereby conferred, or any of such debentures.

Rev. Stat., c. 233 to apply.

24. Except as herein otherwise provided, the provisions of *The Municipal Act* shall apply to all borrowings effected and debentures issued pursuant to this Act.

By-law No. 302 C, confirmed.

25. By-law number 302 C of the corporation set forth in schedule "1" hereto is hereby confirmed and declared to be legal, valid and binding on the corporation and the ratepayers thereof and any works authorized to be constructed thereunder

and all temporary advances heretofore made pending the completion of the said works shall conclusively be deemed to have been legally undertaken and authorized, and the cost of each work described in said By-law number 302 C, after deducting any contributions shall be assessed in accordance with the engineer's report procured and adopted by the council in respect thereto upon the lands specified therein and there shall be included in the cost of each said work the following items:

- (a) Any sum expended in obtaining from the Department of Lands and Forests of Ontario a patent of lands on the south side of the work, including all legal fees and expenses incidental thereto and incidental to the conveyance of the lands therein described or any portion thereof to the respective owners entitled thereto;
- (b) Any sum expended in completing the earth fill south of the work.

26. This Act shall come into force on the day upon which it receives the Royal Assent. Commence-
ment of Act.

SCHEDULE "1"

TOWN OF RIVERSIDE

CONSTRUCTION BY-LAW NUMBER 302C

A By-law to authorize the construction of certain works as local improvements under the provisions of *The Local Improvement Act*.

Whereas petitions have been received by the Council for the construction, as local improvements, of the works set forth in Schedule "A" hereto annexed, and the Clerk has certified that each of the petitions is sufficient and that it is expedient to grant the prayer of the petitions in the manner hereinafter provided.

And whereas the Council has procured reports in regard to each of said works as required by Section 34 of *The Local Improvement Act*.

And whereas each of the said reports is hereby adopted.

Therefore the Municipal Council of the Town of Riverside, enacts as follows:—

1. That the works set forth in said Schedule "A" shall be constructed along the shores and between the points as therein mentioned as local improvements under the provisions of *The Local Improvement Act*.

2. The Engineer of the Corporation do forthwith make such plans, profiles and specifications and furnish such information as may be necessary for the making of a contract for the execution of the work.

3. The work shall be carried on and executed under the superintendence and according to the directions and orders of such Engineer.

4. The Mayor and Clerk are authorized to cause a contract for the construction of the work to be made and entered into with some person or persons, firm or corporation, subject to the approval of this Council to be declared by resolution.

5. The Treasurer may, subject to the approval of the Council agree with any bank or person for temporary advances of money to meet the cost of the work pending the completion of it.

6. The special assessment for each of the said works shall be paid by the number of annual instalments as set forth in column six of said Schedule "A."

7. The debentures to be issued for the loan to be effected to pay for the cost of each of the said works when completed shall bear interest at such rate as the Council may determine and be made payable on the instalment plan within the number of years as shown in column seven of said Schedule "A."

8. Any person whose lot is specially assessed may commute for a payment in cash the special rates imposed thereon, by paying the portion of the cost of construction assessed upon such lot, without the interest, forthwith after the special Assessment Roll has been duly certified by the Clerk, and at any time thereafter by the payment of such sum as when invested at four per cent. (4%) per annum will provide an annuity sufficient to pay the special rates for the unexpired portion of the term as they fall due.

Passed this 3rd day of November, A.D. 1930.

(SEAL)

H. A. DOUILLARD, Mayor.
C. J. McHUGH, Clerk.

Schedule "A"

1 No.	2 Nature of Work	3 Location of Work	4 From	5 To	6 Number of instalments by which assessment payable	7 Currency of debentures	8
1	A Breakwater	Along the shore of Lake St. Clair.	The limit between the east and west halves of Farm Lot 141.	The limit between the east and west halves of Farm Lot 147.	30	30	8
2	A Breakwater	Along the shore of Lake St. Clair.	The limit between the east and west halves of Farm Lot 147.	A point 52 feet west of the limit between the east and west halves of Farm Lot 149	30	30	

BILL

An Act respecting the Town of Riverside.

1st Reading

February 17th, 1931

2nd Reading

March 27th, 1931

3rd Reading

March 31st, 1931

Mr. Wilson (Windsor)

No. 6

2ND SESSION, 18TH LEGISLATURE, ONTARIO

21 GEORGE V, 1931

BILL

An Act respecting the Town of Almonte.

MR. CRAIG

(PRIVATE BILL)

TORONTO

PRINTED BY HERBERT H. BALL

PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

No. 6

1931

BILL

An Act respecting the Town of Almonte.

Preamble.

WHEREAS the corporation of the town of Almonte has by petition represented that it is desirable in the interests of public health to have sanitary conveniences installed in all residences and places of business and other premises in the said town; and whereas, the council of the said corporation desires to have power to enter into agreements with the owners of such premises to have sanitary conveniences installed by the said corporation and to enable it to advance the necessary moneys for such works and to charge the cost thereof with interest thereon against the lands of said owners and to provide for the collection of same in instalments in the same manner as taxes; and also to enable the said corporation to borrow money by the issue of debentures to provide funds for the purpose of meeting the cost of such works; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Town of Almonte Act, 1931*.

By-law for
installation
of sanitary
con-
veniences.

2. The council of the corporation of the town of Almonte may pass a by-law in the form of the by-law in schedule "A" to this Act, and such by-law as and when passed, is declared to be legal, valid and binding.

Issue of
debentures
for cost of
sanitary
con-
veniences.

3. The said corporation may pass by-laws for the issue of debentures for such term of years not exceeding ten years from the date of the issue thereof and at such rate of interest as the council of the said corporation may determine, to pay for the cost of all works undertaken under a by-law passed under section 2, and, except that it shall not be necessary that any by-law passed for the issue of such debentures be submitted to or receive the assent of the electors of the said town qualified to vote on money by-laws, all other provisions of *The Municipal Act* which are applicable, and which are

Rev. Stat.,
c. 233.

not inconsistent with the provisions of this Act, shall apply to the said by-laws and any debentures issued thereunder, and all by-laws so passed and all debentures so issued shall be valid and binding upon the said corporation and the ratepayers thereof.

Commence-
ment of Act. 4. This Act shall come into force on the day upon which it receives the Royal Assent.

SCHEDULE "A"

THE CORPORATION OF THE TOWN OF ALMONTE

BY-LAW No.

A By-law respecting the installation of sanitary conveniences, including drains connecting same with sewers.

Whereas it is desirable to provide for the installation of sanitary conveniences in buildings in the town of Almonte and to provide for the payment of the cost of the same.

Be it therefore enacted by the Municipal Council of the Corporation of the Town of Almonte as follows:—

1. Any owner desiring to install in his premises situate in the town of Almonte, sanitary conveniences with the necessary drain or drains to connect such sanitary conveniences with the town's sewers, may file a written application therefor on a form to be prescribed by the council, which application shall describe the works desired to be done, the premises in or on which said works are to be done, the plumbing fixtures desired to be installed, and the drains to be excavated and laid, and the owner shall also sign a form of agreement to be prescribed by the said council covering the said works.

2. The owner in his said application shall state whether he desires to pay for the cost of said sanitary conveniences including the installation thereof and all work in connection therewith in advance or by deferred payment, in which latter case the cost of same with interest at the rate of six per cent. per annum on the deferred payments shall be paid by a special assessment charged against the owner's lands in equal successive annual payments extending over a period of ten years.

3. If the owner desires to pay for the cost of said works in advance he shall deposit the cost as estimated by the engineer of the corporation, with its treasurer, and if upon completion of the said works it shall be found that the deposit made for the purpose is less than the actual cost, the owner shall forthwith pay the balance of said cost with interest at six per cent. per annum from the date of completion (of which date the certificate of the said engineer shall be final) and such balance with interest shall remain a charge on the said lands until paid, and if the deposit paid is more than sufficient to meet the cost of said works the unused portion of said deposit shall be refunded by the treasurer to the owner.

4. The application for said works when received by the clerk of the corporation shall be referred to the engineer for approval after inspecting the premises and shall be confirmed by the council after which confirmation the works shall be proceeded with by the corporation as soon as conveniently may be thereafter.

5. The council may prepare or cause to be prepared specifications for any of the said works.

6. The council in order to carry out the said works may, after the application referred to in section 1 has been confirmed, or after specifications referred to in section 5 have been prepared, in such manner as it may deem necessary, call for tenders for the execution of said works either in bulk or separately for each class of work and may accept any tender or tenders received and contracts may thereupon be entered into for execution of the said works or any part thereof. The engineer, if so instructed by the council, may tender on all or any class of such works and if his tender be accepted the work shall be performed by him on behalf of the corporation in accordance with this by-law.

7. Upon the completion of any of the works authorized under this by-law the engineer shall prepare and submit to the council a statement of the cost thereof and of the amount chargeable against any premises for which the same have been incurred, and when such statement is approved a copy thereof shall be furnished by the clerk to the owner against whose lands the same are chargeable.

10. For construction of any of said works, the treasurer shall pay out of any funds that may be provided by the council for the purpose, the amount of all progress and final certificates or other payments authorized upon the certificate of the engineer approved by the council.

Passed this day of A.D. 19 .

BILL

An Act respecting the Town of Almonte.

1st Reading

2nd Reading

3rd Reading

MR. CRAIG

(*Private Bill*)

2ND SESSION, 18TH LEGISLATURE, ONTARIO
21 GEORGE V, 1931

BILL

An Act respecting the Town of Almonte.

MR. CRAIG

BILL

An Act respecting the Town of Almonte.

Preamble.

WHEREAS the corporation of the town of Almonte has by petition represented that it is desirable in the interests of public health to have sanitary conveniences installed in all residences and places of business and other premises in the said town; and whereas, the council of the said corporation desires to have power to enter into agreements with the owners of such premises to have sanitary conveniences installed by the said corporation and to enable it to advance the necessary moneys for such works and to charge the cost thereof with interest thereon against the lands of said owners and to provide for the collection of same in instalments in the same manner as taxes; and also to enable the said corporation to borrow money by the issue of debentures to provide funds for the purpose of meeting the cost of such works; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Town of Almonte Act, 1931*.

By-law for installation of sanitary conveniences.

2. The council of the corporation of the town of Almonte may pass a by-law in the form of the by-law in schedule "A" to this Act, and such by-law as and when passed, is declared to be legal, valid and binding.

Issue of debentures for cost of sanitary conveniences.

3. The said corporation may pass by-laws for the issue of debentures for such term of years not exceeding ten years from the date of the issue thereof and at such rate of interest as the council of the said corporation may determine, to pay for the cost of all works undertaken under a by-law passed under section 2, and, except that it shall not be necessary that any by-law passed for the issue of such debentures be submitted to or receive the assent of the electors of the said town qualified to vote on money by-laws, all other provisions of *The Municipal Act* which are applicable, and which are

Rev. Stat.,
c. 233.

not inconsistent with the provisions of this Act, shall apply to the said by-laws and any debentures issued thereunder, and all by-laws so passed and all debentures so issued shall be valid and binding upon the said corporation and the ratepayers thereof.

4. This Act shall come into force on the day upon which it receives the Royal Assent. Commence-
ment of Act.

SCHEDULE "A"

THE CORPORATION OF THE TOWN OF ALMONTE

BY-LAW No.

A By-law respecting the installation of sanitary conveniences, including drains connecting same with sewers.

Whereas it is desirable to provide for the installation of sanitary conveniences in buildings in the town of Almonte and to provide for the payment of the cost of the same.

Be it therefore enacted by the Municipal Council of the Corporation of the Town of Almonte as follows:—

1. Any owner desiring to install in his premises situate in the town of Almonte, sanitary conveniences with the necessary drain or drains to connect such sanitary conveniences with the town's sewers, may file a written application therefor on a form to be prescribed by the council, which application shall describe the works desired to be done, the premises in or on which said works are to be done, the plumbing fixtures desired to be installed, and the drains to be excavated and laid, and the owner shall also sign a form of agreement to be prescribed by the said council covering the said works.

2. The owner in his said application shall state whether he desires to pay for the cost of said sanitary conveniences including the installation thereof and all work in connection therewith in advance or by deferred payment, in which latter case the cost of same with interest at the rate of six per cent. per annum on the deferred payments shall be paid by a special assessment charged against the owner's lands in equal successive annual payments extending over a period of ten years.

3. If the owner desires to pay for the cost of said works in advance he shall deposit the cost as estimated by the engineer of the corporation, with its treasurer, and if upon completion of the said works it shall be found that the deposit made for the purpose is less than the actual cost, the owner shall forthwith pay the balance of said cost with interest at six per cent. per annum from the date of completion (of which date the certificate of the said engineer shall be final) and such balance with interest shall remain a charge on the said lands until paid, and if the deposit paid is more than sufficient to meet the cost of said works the unused portion of said deposit shall be refunded by the treasurer to the owner.

4. The application for said works when received by the clerk of the corporation shall be referred to the engineer for approval after inspecting the premises and shall be confirmed by the council after which confirmation the works shall be proceeded with by the corporation as soon as conveniently may be thereafter.

5. The council may prepare or cause to be prepared specifications for any of the said works.

6. The council in order to carry out the said works may, after the application referred to in section 1 has been confirmed, or after specifications referred to in section 5 have been prepared, in such manner as it may deem necessary, call for tenders for the execution of said works either in bulk or separately for each class of work and may accept any tender or tenders received and contracts may thereupon be entered into for execution of the said works or any part thereof. The engineer, if so instructed by the council, may tender on all or any class of such works and if his tender be accepted the work shall be performed by him on behalf of the corporation in accordance with this by-law.

7. Upon the completion of any of the works authorized under this by-law the engineer shall prepare and submit to the council a statement of the cost thereof and of the amount chargeable against any premises for which the same have been incurred, and when such statement is approved a copy thereof shall be furnished by the clerk to the owner against whose lands the same are chargeable.

8. In the event of the cost of any of said works not being paid in advance by the owner or in so far as such advance payment shall not cover the whole cost thereof, payment of the cost or of the unpaid balance thereof shall with interest thereon at the rate of six per centum per annum be made by the owner for whom the work was executed in ten equal annual combined instalments of principal and interest and for securing and enforcing payment of which there is hereby imposed annually during the period of ten years upon the lands for or in respect of which the work was executed a special rate of an amount equal to the annual combined instalment of principal and interest so payable as aforesaid which shall be added to the collector's roll for taxes and be collected at the same time and in the same manner as other municipal taxes.

9. All works executed under or in pursuance to this by-law shall be executed under the direct supervision of the engineer, and to the satisfaction of the local board of health for said town.

10. For construction of any of said works, the treasurer shall pay out of any funds that may be provided by the council for the purpose, the amount of all progress and final certificates or other payments authorized upon the certificate of the engineer approved by the council.

11. The treasurer shall keep proper books of account with reference to all such works, showing the premises improved, the name or names of owners, the cost of each of such work, and all other necessary information.

Passed this day of A.D. 19 .

BILL

An Act respecting the Town of Almonte.

1st Reading

February 17th, 1931

2nd Reading

February 27th, 1931

3rd Reading

March 13th, 1931

MR. CRAIG

No. 7

2ND SESSION, 18TH LEGISLATURE, ONTARIO
21 GEORGE V, 1931

BILL

An Act respecting the Town of New Toronto.

MR. GODFREY

(PRIVATE BILL)

TORONTO
PRINTED BY HERBERT H. BALL
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

No. 7

1931

BILL

An Act respecting the Town of New Toronto.

Preamble.

WHEREAS the corporation of the town of New Toronto has by its petition prayed for special legislation in regard to the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Town of New Toronto Act, 1931*.

By-laws
Nos. 807 and
839 and de-
bentures
confirmed.

2. By-law number 807 of the corporation of the town of New Toronto, passed on the 29th day of April, 1930, to authorize the acquisition of certain lands and the erection of a fire hall thereon, and by-law number 839 of the said corporation, passed on the 12th day of January, 1931, to authorize the borrowing of \$20,000 upon debentures to pay for the said lands and fire hall, and all debentures issued or to be issued thereunder are hereby confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof.

By-law
No. 840 and
debentures
confirmed.

3. By-law number 840 of the said corporation, passed on the 12th day of January, 1931, authorizing the borrowing of \$5,000 upon debentures to pay for the cost of purchasing a site and establishing and erecting thereon municipal yards and stables, and all debentures issued or to be issued thereunder, are hereby confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof.

Agreement
confirmed.

4. The agreement between the said corporation and the corporation of the town of Mimico bearing date the 8th day of December, 1930, set out in schedule "A" hereto, is hereby confirmed and declared to be legal, valid and binding upon the parties thereto and upon all other persons whose rights may be affected hereby and the respective corporations are

Rev. Stat.,
c. 235.

Cost of
storm
sewer,—
how borne.

hereby empowered to carry out the provisions of the said agreement as therein set out, notwithstanding any provisions of *The Local Improvement Act* to the contrary. The council of the corporation of the town of Mimico may by by-law declare the whole or any part of the cost of the storm sewer referred to therein to be payable by such corporation.

Tax sales
and
conveyances
confirmed.

5.—(1) All sales of land within the town of New Toronto made prior to the 31st day of December, 1929, which purport to have been made by the corporation of the town of New Toronto or its treasurer for arrears of taxes in respect to the lands so sold are hereby validated and confirmed and all conveyances of lands so sold executed by the mayor, treasurer and clerk of the said town purporting to convey the said lands so sold to the purchaser thereof or his heirs or assigns or to the said corporation, shall have the effect of vesting the lands so sold in the purchaser or his heirs or assigns and his or their heirs and assigns or in the said corporation and its successors and assigns, as the case may be, in fee simple and clear of and free from all right, title and interest whatsoever of the owners thereof at the time of said sale, or their assigns, and all charges and encumbrances thereon and dower therein, except taxes accruing after those for non-payment of which the lands were sold.

Pending
litigation
not
affected.

(2) Nothing in this section contained shall affect or prejudice the rights of any persons under pending litigation.

Commence-
ment of Act.

6. The provisions of this Act other than section 5 shall come into force on the day upon which it receives the Royal Assent. Section 5 shall come into force on July 1st, 1931.

SCHEDULE "A"

MEMORANDUM OF AGREEMENT made this 8th day of December, 1930.

BETWEEN:

THE CORPORATION OF THE TOWN OF MIMICO,

of the first part;

—and—

THE CORPORATION OF THE TOWN OF NEW TORONTO,

of the second part:

Whereas Dwight Avenue, being a street thirty-two feet in width, and the one foot reserve immediately adjoining it on the west, form the boundary between the Town of Mimico and the Town of New Toronto and lie wholly within the limits of the Town of Mimico;

And whereas the parties hereto are desirous of widening Dwight Avenue from the Lake Shore Road to Birmingham Street to a width of sixty-six feet from the existing easterly limit thereof, which street, as widened, will form the boundary between the Towns of Mimico and New Toronto and will lie one-half in each of the said towns;

And whereas the parties hereto are desirous of providing for the construction of local improvement works on the said Dwight Avenue as widened from the Lake Shore Road to Birmingham Street, as local improvements under the provisions of *The Local Improvement Act*;

And whereas the Town of Mimico have heretofore constructed a sanitary sewer on Dwight Avenue from the Lake Shore Road to Birmingham Street, a storm sewer from the corner of Dwight Avenue and Lake Shore Road along Sandy Beach Road to Lake Ontario, being thirty-six inches in diameter, which is of sufficient size to form an outlet for any storm sewer which may be constructed on Dwight Avenue.

Now this indenture witnesseth that in consideration of the covenants and conditions herein contained, the Parties hereto covenant and agree the one with the other as follows:

1. The Town of Mimico shall procure to be conveyed to them as part of Dwight Avenue the one foot reserve shown on Plan M-76 lying immediately to the west of Dwight Avenue between the Lake Shore Road and the north limits of Birmingham Street.

2. The Town of New Toronto shall procure to be conveyed or dedicated to them as part of Dwight Avenue the thirty-three feet immediately to the west of Dwight Avenue and the one foot reserve above referred to, required to widen Dwight Avenue from the Lake Shore Road to Birmingham Street to a width of sixty-six feet from its existing easterly limit.

3. Subject to any necessary approval of the Department of Health of the Province of Ontario to be first had and obtained, the Town of New Toronto may connect to the sanitary sewer heretofore constructed by the Town of Mimico on Dwight Avenue between the Lake Shore Road and Birmingham Street, any sanitary sewers serving premises on the west side of Dwight Avenue, as widened, between the Lake Shore Road and Birmingham Street.

4. Subject to the approval of the Department of Health of the Province of Ontario to be first had and obtained, there shall be constructed on Dwight Avenue, as widened, a storm sewer from Lake Shore Road to Birmingham Street which shall be connected with the storm sewer heretofore constructed by the Town of Mimico to the corner of Lake Shore Road and Dwight Avenue.

5. There shall be constructed on Dwight Avenue, as widened, a pavement from Lake Shore Road to Birmingham Street.

6. The Council of the Corporation of the Town of New Toronto shall initiate the works mentioned in the last two preceding paragraphs under the provisions of The Local Improvement Act, and the said works shall be undertaken and executed by the Corporation of the Town of New Toronto and under the superintendence and according to the directions and orders of their engineer.

7. The Corporation's portion of the cost of the construction of each of the works mentioned in paragraphs four and five hereof shall be apportioned between the Towns of Mimico and New Toronto, so that the amount paid by the owners assessed in the Town of Mimico, plus the Corporation's share borne by the Town of Mimico, shall be one-half the total cost and the amount paid by the owners assessed in the Town of New Toronto, plus the Corporation's share borne by the Town of New Toronto, shall be one-half of the total cost of the works and, notwithstanding any provision of the Local Improvement Act or any private Act, the owners assessed in each of the Municipalities shall bear such part of the cost as the council of that Municipality shall by a vote of three-fourths of all the members of the Council determine, and it shall not be necessary that the rate per foot frontage assessed against the lands fronting or abutting on the work shall be equal on both sides of the street.

8. In the construction of each of the works constructed pursuant to this agreement, one-half of the labour employed shall be from the Town of New Toronto and one-half from the Town of Mimico.

9. The Corporation of the Town of Mimico shall, before the work is initiated, notify the Corporation of the Town of New Toronto at what rate the owners abutting in the Town of Mimico are to be assessed.

10. Loans shall be effected from time to time to pay for the whole of the cost of each of the said works when completed and debentures shall be issued therefor by the corporation of the Town of New Toronto bearing interest at such rate as the Council may hereafter determine, and as to the loans for storm sewer, payable in thirty years, and as to loans for pavement payable in fifteen years, by instalments of such amounts respectively that the aggregate amount payable on each loan for principal and interest in any year shall be equal as nearly as may be to the amount so payable for principal and interest in each of the other years.

11. The Town of New Toronto, in carrying out the provisions of this agreement shall before undertaking the work obtain the approval of the Council of the Town of Mimico to plan and profile of the work to be undertaken and shall, after the work is completed, file with the Town of Mimico the plan and profile of the work showing all manholes, connections and outlets.

12. After each of the said works has been completed the Town of New Toronto shall also furnish to the Town of Mimico an itemized statement showing the total cost of the work.

13. The Town of New Toronto shall pay to the Town of Mimico one-half of the amount of the annual debenture payments heretofore made by the Town of Mimico on the debentures issued for the cost of the outlet storm sewer mentioned in clause 4 hereof from the corner of Lake Shore Road and Dwight Avenue along the Lake Shore Road and Sandy Beach Road to Lake Ontario, and the Town of New Toronto shall pay annually to the Town of Mimico one-half of the annual payments which shall hereafter fall due on the debentures for the said outlet storm sewer.

14. The Town of New Toronto shall pay annually to the Town of Mimico one-half of all annual payments which shall fall due after January 1st, 1931, on the debentures for the sanitary sewer heretofore constructed by the Town of Mimico on Dwight Avenue from the Lake Shore Road to Birmingham Street.

6. The Council of the Corporation of the Town of New Toronto shall initiate the works mentioned in the last two preceding paragraphs under the provisions of The Local Improvement Act, and the said works shall be undertaken and executed by the Corporation of the Town of New Toronto and under the superintendence and according to the directions and orders of their engineer.

7. The Corporation's portion of the cost of the construction of each of the works mentioned in paragraphs four and five hereof shall be apportioned between the Towns of Mimico and New Toronto, so that the amount paid by the owners assessed in the Town of Mimico, plus the Corporation's share borne by the Town of Mimico, shall be one-half the total cost and the amount paid by the owners assessed in the Town of New Toronto, plus the Corporation's share borne by the Town of New Toronto, shall be one-half of the total cost of the works and, notwithstanding any provision of the Local Improvement Act or any private Act, the owners assessed in each of the Municipalities shall bear such part of the cost as the council of that Municipality shall by a vote of three-fourths of all the members of the Council determine, and it shall not be necessary that the rate per foot frontage assessed against the lands fronting or abutting on the work shall be equal on both sides of the street.

8. In the construction of each of the works constructed pursuant to this agreement, one-half of the labour employed shall be from the Town of New Toronto and one-half from the Town of Mimico.

9. The Corporation of the Town of Mimico shall, before the work is initiated, notify the Corporation of the Town of New Toronto at what rate the owners abutting in the Town of Mimico are to be assessed.

10. Loans shall be effected from time to time to pay for the whole of the cost of each of the said works when completed and debentures shall be issued therefor by the corporation of the Town of New Toronto bearing interest at such rate as the Council may hereafter determine, and as to the loans for storm sewer, payable in thirty years, and as to loans for pavement payable in fifteen years, by instalments of such amounts respectively that the aggregate amount payable on each loan for principal and interest in any year shall be equal as nearly as may be to the amount so payable for principal and interest in each of the other years.

11. The Town of New Toronto, in carrying out the provisions of this agreement shall before undertaking the work obtain the approval of the Council of the Town of Mimico to plan and profile of the work to be undertaken and shall, after the work is completed, file with the Town of Mimico the plan and profile of the work showing all manholes, connections and outlets.

12. After each of the said works has been completed the Town of New Toronto shall also furnish to the Town of Mimico an itemized statement showing the total cost of the work.

13. The Town of New Toronto shall pay to the Town of Mimico one-half of the amount of the annual debenture payments heretofore made by the Town of Mimico on the debentures issued for the cost of the outlet storm sewer mentioned in clause 4 hereof from the corner of Lake Shore Road and Dwight Avenue along the Lake Shore Road and Sandy Beach Road to Lake Ontario, and the Town of New Toronto shall pay annually to the Town of Mimico one-half of the annual payments which shall hereafter fall due on the debentures for the said outlet storm sewer.

14. The Town of New Toronto shall pay annually to the Town of Mimico one-half of all annual payments which shall fall due after January 1st, 1931, on the debentures for the sanitary sewer heretofore constructed by the Town of Mimico on Dwight Avenue from the Lake Shore Road to Birmingham Street.

In witness whereof the Councils of the said Corporations have caused to be affixed the seals of the said Corporations and the hands of the Mayors and Clerks thereof.

SIGNED, SEALED AND DELIVERED:

In the presence of:

THE CORPORATION OF THE
TOWN OF MIMICO,

(Seal of the Town of Mimico).

R. WAITES, *Mayor.*
H. B. FOREMAN, *Clerk.*

THE CORPORATION OF THE
TOWN OF NEW TORONTO.

(Seal of the Town of New Toronto.)

WM. G. JACKSON, *Mayor.*
W. H. C. MILLARD, *Clerk.*

BILL

An Act respecting the Town of
New Toronto.

1st Reading

2nd Reading

3rd Reading

MR. GODFREY

(Private Bill)

No. 7

2ND SESSION, 18TH LEGISLATURE, ONTARIO
21 GEORGE V, 1931

BILL

An Act respecting the Town of New Toronto.

MR. GODFREY

TORONTO
PRINTED BY HERBERT H. BALL
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

No. 7

1931

BILL

An Act respecting the Town of New Toronto.

Preamble.

WHEREAS the corporation of the town of New Toronto has by its petition prayed for special legislation in regard to the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title

1. This Act may be cited as *The Town of New Toronto Act, 1931*.

By-laws
Nos. 807 and
839 and de-
bentures
confirmed.

2. By-law number 807 of the corporation of the town of New Toronto, passed on the 29th day of April, 1930, to authorize the acquisition of certain lands and the erection of a fire hall thereon, and by-law number 839 of the said corporation, passed on the 12th day of January, 1931, to authorize the borrowing of \$20,000 upon debentures to pay for the said lands and fire hall, and all debentures issued or to be issued thereunder are hereby confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof.

By-law
No. 840 and
ebentures
confirmed.

3. By-law number 840 of the said corporation, passed on the 12th day of January, 1931, authorizing the borrowing of \$5,000 upon debentures to pay for the cost of purchasing a site and establishing and erecting thereon municipal yards and stables, and all debentures issued or to be issued thereunder, are hereby confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof.

Agreement
confirmed.

4. The agreement between the said corporation and the corporation of the town of Mimico bearing date the 8th day of December, 1930, set out in schedule "A" hereto, is hereby confirmed and declared to be legal, valid and binding upon the parties thereto and upon all other persons whose rights may be affected hereby and the respective corporations are

hereby empowered to carry out the provisions of the said agreement as therein set out, notwithstanding any provisions of *The Local Improvement Act* to the contrary. The council of the corporation of the town of Mimico may by by-law declare the whole or any part of the cost of the storm sewer referred to therein to be payable by such corporation.

Rev. Stat.,
c. 235.

Cost of
storm
sewer,—
how borne.

5.—(1) All sales of land within the town of New Toronto made prior to the 31st day of December, 1929, which purport to have been made by the corporation of the town of New Toronto or its treasurer for arrears of taxes in respect to the lands so sold are hereby validated and confirmed and all conveyances of lands so sold executed by the mayor, treasurer and clerk of the said town purporting to convey the said lands so sold to the purchaser thereof or his heirs or assigns or to the said corporation, shall have the effect of vesting the lands so sold in the purchaser or his heirs or assigns and his or their heirs and assigns or in the said corporation and its successors and assigns, as the case may be, in fee simple and clear of and free from all right, title and interest whatsoever of the owners thereof at the time of said sale, or their assigns, and all charges and encumbrances thereon and dower therein, except taxes accruing after those for non-payment of which the lands were sold.

Tax sales
and
conveyances
confirmed.

(2) Nothing in this section contained shall affect or prejudice the rights of any person under any action, litigation or other proceedings now pending, but the same may be proceeded with and finally adjudicated upon in the same manner and as fully and effectually as if this Act had not been passed.

Pending
litigation
not
affected.

6. The provisions of this Act other than section 5 shall come into force on the day upon which it receives the Royal Assent. Section 5 shall come into force on July 1st, 1931.

Commence-
ment of Act.

SCHEDULE "A"

MEMORANDUM OF AGREEMENT made this 8th day of December, 1930.

BETWEEN:

THE CORPORATION OF THE TOWN OF MIMICO,

of the first part;

—and—

THE CORPORATION OF THE TOWN OF NEW TORONTO,

of the second part:

Whereas Dwight Avenue, being a street thirty-two feet in width, and the one foot reserve immediately adjoining it on the west, form the boundary between the Town of Mimico and the Town of New Toronto and lie wholly within the limits of the Town of Mimico;

And whereas the parties hereto are desirous of widening Dwight Avenue from the Lake Shore Road to Birmingham Street to a width of sixty-six feet from the existing easterly limit thereof, which street, as widened, will form the boundary between the Towns of Mimico and New Toronto and will lie one-half in each of the said towns;

And whereas the parties hereto are desirous of providing for the construction of local improvement works on the said Dwight Avenue as widened from the Lake Shore Road to Birmingham Street, as local improvements under the provisions of *The Local Improvement Act*;

And whereas the Town of Mimico have heretofore constructed a sanitary sewer on Dwight Avenue from the Lake Shore Road to Birmingham Street, a storm sewer from the corner of Dwight Avenue and Lake Shore Road along Sandy Beach Road to Lake Ontario, being thirty-six inches in diameter, which is of sufficient size to form an outlet for any storm sewer which may be constructed on Dwight Avenue.

Now this indenture witnesseth that in consideration of the covenants and conditions herein contained, the Parties hereto covenant and agree the one with the other as follows:

1. The Town of Mimico shall procure to be conveyed to them as part of Dwight Avenue the one foot reserve shown on Plan M-76 lying immediately to the west of Dwight Avenue between the Lake Shore Road and the north limits of Birmingham Street.

2. The Town of New Toronto shall procure to be conveyed or dedicated to them as part of Dwight Avenue the thirty-three feet immediately to the west of Dwight Avenue and the one foot reserve above referred to, required to widen Dwight Avenue from the Lake Shore Road to Birmingham Street to a width of sixty-six feet from its existing easterly limit.

3. Subject to any necessary approval of the Department of Health of the Province of Ontario to be first had and obtained, the Town of New Toronto may connect to the sanitary sewer heretofore constructed by the Town of Mimico on Dwight Avenue between the Lake Shore Road and Birmingham Street, any sanitary sewers serving premises on the west side of Dwight Avenue, as widened, between the Lake Shore Road and Birmingham Street.

4. Subject to the approval of the Department of Health of the Province of Ontario to be first had and obtained, there shall be constructed on Dwight Avenue, as widened, a storm sewer from Lake Shore Road to Birmingham Street which shall be connected with the storm sewer heretofore constructed by the Town of Mimico to the corner of Lake Shore Road and Dwight Avenue.

5. There shall be constructed on Dwight Avenue, as widened, a pavement from Lake Shore Road to Birmingham Street.

6. The Council of the Corporation of the Town of New Toronto shall initiate the works mentioned in the last two preceding paragraphs under the provisions of The Local Improvement Act, and the said works shall be undertaken and executed by the Corporation of the Town of New Toronto and under the superintendence and according to the directions and orders of their engineer.

7. The Corporation's portion of the cost of the construction of each of the works mentioned in paragraphs four and five hereof shall be apportioned between the Towns of Mimico and New Toronto, so that the amount paid by the owners assessed in the Town of Mimico, plus the Corporation's share borne by the Town of Mimico, shall be one-half the total cost and the amount paid by the owners assessed in the Town of New Toronto, plus the Corporation's share borne by the Town of New Toronto, shall be one-half of the total cost of the works and, notwithstanding any provision of the Local Improvement Act or any private Act, the owners assessed in each of the Municipalities shall bear such part of the cost as the council of that Municipality shall by a vote of three-fourths of all the members of the Council determine, and it shall not be necessary that the rate per foot frontage assessed against the lands fronting or abutting on the work shall be equal on both sides of the street.

8. In the construction of each of the works constructed pursuant to this agreement, one-half of the labour employed shall be from the Town of New Toronto and one-half from the Town of Mimico.

9. The Corporation of the Town of Mimico shall, before the work is initiated, notify the Corporation of the Town of New Toronto at what rate the owners abutting in the Town of Mimico are to be assessed.

10. Loans shall be effected from time to time to pay for the whole of the cost of each of the said works when completed and debentures shall be issued therefor by the corporation of the Town of New Toronto bearing interest at such rate as the Council may hereafter determine, and as to the loans for storm sewer, payable in thirty years, and as to loans for pavement payable in fifteen years, by instalments of such amounts respectively that the aggregate amount payable on each loan for principal and interest in any year shall be equal as nearly as may be to the amount so payable for principal and interest in each of the other years.

11. The Town of New Toronto, in carrying out the provisions of this agreement shall before undertaking the work obtain the approval of the Council of the Town of Mimico to plan and profile of the work to be undertaken and shall, after the work is completed, file with the Town of Mimico the plan and profile of the work showing all manholes, connections and outlets.

12. After each of the said works has been completed the Town of New Toronto shall also furnish to the Town of Mimico an itemized statement showing the total cost of the work.

13. The Town of New Toronto shall pay to the Town of Mimico one-half of the amount of the annual debenture payments heretofore made by the Town of Mimico on the debentures issued for the cost of the outlet storm sewer mentioned in clause 4 hereof from the corner of Lake Shore Road and Dwight Avenue along the Lake Shore Road and Sandy Beach Road to Lake Ontario, and the Town of New Toronto shall pay annually to the Town of Mimico one-half of the annual payments which shall hereafter fall due on the debentures for the said outlet storm sewer.

14. The Town of New Toronto shall pay annually to the Town of Mimico one-half of all annual payments which shall fall due after January 1st, 1931, on the debentures for the sanitary sewer heretofore constructed by the Town of Mimico on Dwight Avenue from the Lake Shore Road to Birmingham Street.

In witness whereof the Councils of the said Corporations have caused to be affixed the seals of the said Corporations and the hands of the Mayors and Clerks thereof.

SIGNED, SEALED AND DELIVERED:

In the presence of:

THE CORPORATION OF THE
TOWN OF MIMICO,

(Seal of the Town of Mimico).

R. WAITES, *Mayor.*
H. B. FOREMAN, *Clerk.*

THE CORPORATION OF THE
TOWN OF NEW TORONTO.

(Seal of the Town of New Toronto.)

WM. G. JACKSON, *Mayor.*
W. H. C. MILLARD, *Clerk.*

BILL

An Act respecting the Town of
New Toronto.

1st Reading

February 17th, 1931

2nd Reading

February 27th, 1931

3rd Reading

March 13th, 1931

MR. GODFREY

No. 8

2ND SESSION, 18TH LEGISLATURE, ONTARIO

21 GEORGE V, 1931

BILL

An Act respecting the Estate of William F. Johnson, deceased.

MR. CASE

(PRIVATE BILL)

TORONTO

PRINTED BY HERBERT H. BALL

PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

No. 8

1931

BILL

An Act respecting the Estate of William F.
Johnson, deceased.

Preamble.

WHEREAS the late William F. Johnson, who died on or about the 22nd day of February, 1929, and probate of whose last will and testament was granted by the Surrogate Court of the County of Prince Edward on the 30th day of April, 1929, to The Trusts and Guarantee Company, Limited, the executor herein named, made provision in his said will as to the disposition of his estate and in respect of certain of which dispositions agreements have since been entered into among the beneficiaries in settlement of their interests upon terms other than those mentioned in such will; and whereas Elizabeth Johnson, the widow, and Elizabeth Mayne Johnson, the daughter of the said testator, have by their petition represented that it is in the interests of all concerned that notwithstanding the provisions of the said will, the said estate should be distributed in accordance with the terms of the said agreements; and whereas it is expedient to grant the prayer of the said petition:

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario enacts as follows:

Distribution
of testator's
estate.

1. Notwithstanding the provisions of the said will of William F. Johnson, deceased, his estate shall be distributed as follows:

- (a) Florence Huff, named in the said will, shall be paid, given and receive in full settlement of her share the sum of \$500 and the Chevrolet motor vehicle belonging to the estate;
- (b) Prince Edward Lodge No. 18 of Free Masons, named in the said will shall be paid and receive in full settlement of its share the sum of \$5,000;

- (c) After payment of all debts and funeral expenses of the deceased and of all costs and expense of administration of the said estate, the balance thereof remaining shall be distributed between and paid to the said Elizabeth Johnson, the widow, and the said Elizabeth Mayne Johnson, the daughter, of the said William F. Johnson, deceased, in equal shares.

Executor's
duty.

2. The distribution and settlement of the said estate by The Trusts and Guarantee Company, Limited, as executor as aforesaid*, shall be in accordance with this Act, notwithstanding the provisions of the said will.

Commence-
ment of Act.

3. This Act shall come into force on the day upon which it receives the Royal Assent.

BILL

An Act respecting the Estate of William
F. Johnson, deceased.

1st Reading

2nd Reading

3rd Reading

MR. CASE

(*Private Bill*)

No. 8

2ND SESSION, 18TH LEGISLATURE, ONTARIO

21 GEORGE V, 1931

BILL

An Act respecting the Estate of William F. Johnson, deceased.

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No. 8

1931

BILL


An Act respecting the Estate of William F.
Johnson, deceased.


Preamble.

WHEREAS the late William F. Johnson, who died on or about the 22nd day of February, 1929, and probate of whose last will and testament was granted by the Surrogate Court of the County of Prince Edward on the 30th day of April, 1929, to The Trusts and Guarantee Company, Limited, the executor herein named, made provision in his said will as to the disposition of his estate and in respect of certain of which dispositions agreements have since been entered into among the beneficiaries in settlement of their interests upon terms other than those mentioned in such will; and whereas Elizabeth Johnson, the widow, and Elizabeth Mayne Johnson, the daughter of the said testator, have by their petition represented that  to afford them sufficient protection and to give them such relief as circumstances may warrant, special legislation therefor is necessary;  and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario enacts as follows:

Dependants
Relief Act to
apply.

 **1.**—(1) Notwithstanding that the said will of William F. Johnson, deceased, was made and that the said William F. Johnson died prior to the time when *The Dependants' Relief Act, 1929* came into force and notwithstanding anything in the said agreements contained, the provisions of the said Act and of *The Dependants' Relief Act, 1930* shall apply to the will and estate of the said William F. Johnson, deceased, and the said Elizabeth Johnson and the said Elizabeth Mayne Johnson, or either of them, may make application under the said Acts in the same manner and to the same extent as they or either of them could if the said will had been made and the said death had occurred after the time when the said first mentioned Act came into force.

(2) The said applications may be made under the said mentioned Act, notwithstanding that more than three months have elapsed since the death of the said William F. Johnson and without it being necessary to obtain an extension of the said period to make such applications. 

Commence-
ment of Act.

2. This Act shall come into force on the day upon which it receives the Royal Assent.

BILL

An Act respecting the Estate of William
F. Johnson, deceased.

1st Reading

February 25th, 1931

2nd Reading

3rd Reading

MR. CASE

*(Reprinted as amended by the Private Bills
Committee.)*

2ND SESSION, 18TH LEGISLATURE, ONTARIO

21 GEORGE V, 1931

BILL

An Act respecting the Estate of William F. Johnson, deceased.

MR. CASE

TORONTO

PRINTED BY HERBERT H. BALL

PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

No. 8

1931

BILL

An Act respecting the Estate of William F.
Johnson, deceased.

Preamble.

WHEREAS the late William F. Johnson, who died on or about the 22nd day of February, 1929, and probate of whose last will and testament was granted by the Surrogate Court of the County of Prince Edward on the 30th day of April, 1929, to The Trusts and Guarantee Company, Limited, the executor herein named, made provision in his said will as to the disposition of his estate and in respect of certain of which dispositions agreements have since been entered into among the beneficiaries in settlement of their interests upon terms other than those mentioned in such will; and whereas Elizabeth Johnson, the widow, and Elizabeth Mayne Johnson, the daughter of the said testator, have by their petition represented that to afford them sufficient protection and to give them such relief as circumstances may warrant, special legislation therefor is necessary; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario enacts as follows:

Dependants
Relief Act to
apply.

1929, c. 47.

1930, c. 35.

1.—(1) Notwithstanding that the said will of William F. Johnson, deceased, was made and that the said William F. Johnson died prior to the time when *The Dependants' Relief Act, 1929* came into force and notwithstanding anything in the said agreements contained, the provisions of the said Act and of *The Dependants' Relief Act, 1930* shall apply to the will and estate of the said William F. Johnson, deceased, and the said Elizabeth Johnson and the said Elizabeth Mayne Johnson, or either of them, may make application under the said Acts in the same manner and to the same extent as they or either of them could if the said will had been made and the said death had occurred after the time when the said first mentioned Act came into force.

(2) The said applications may be made under the said ^{Applica-} mentioned Act, notwithstanding that more than three ^{tions.} months have elapsed since the death of the said William F. Johnson and without it being necessary to obtain an extension of the said period to make such applications.

2. This Act shall come into force on the day upon which it ^{Commence-} receives the Royal Assent. ^{ment of Act}

BILL

An Act respecting the Estate of William
F. Johnson, deceased.

1st Reading

February 25th, 1931

2nd Reading

March 13th, 1931

3rd Reading

March 18th, 1931

MR. CASE

2ND SESSION, 18TH LEGISLATURE, ONTARIO
21 GEORGE V, 1931

BILL

An Act respecting the City of Sault Ste. Marie.

MR. LYONS

(PRIVATE BILL)

TORONTO
PRINTED BY HERBERT H. BALL
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

No. 9

1931

BILL

An Act respecting the City of Sault Ste. Marie.

Preamble.

WHEREAS the corporation of the city of Sault Ste. Marie has by a petition represented that it is desirable that its by-law number 1444, providing for the stopping up of certain highways and parts of highways and for selling and conveying the freehold in such highways to Algoma Central Terminals Limited, should be validated and confirmed, and also that its by-laws set forth in schedule "A" hereto should be validated and confirmed, and that all sales of land for taxes within the city of Sault Ste. Marie made subsequent to the thirty-first day of December, 1925, and prior to the first day of January, 1929, be validated and confirmed; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The City of Sault Ste. Marie Act, 1931*.

By-law
No. 1444
confirmed.

2. By-law number 1444 of the said corporation providing for the stopping up of certain highways and parts of highways and for selling and conveying the freehold in the highways and parts of highways so stopped up to Algoma Central Terminals Limited on the terms set out in said by-law, are confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof and upon the said Algoma Central Terminals Limited.

By-laws
set forth in
Schedule
"A," con-
firmed.

3. The by-laws of the said corporation specified in schedule "A" hereto and all debentures issued or to be issued thereunder are hereby confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof.

Tax sales
and
conveyances
confirmed.

4.—(1) All sales of land within the city of Sault Ste. Marie made subsequent to the thirty-first day of December, 1925, and prior to the first day of January, 1929, which purport to have been made by the said corporation or its treasurer for arrears of taxes in respect to lands so sold, are hereby validated and confirmed, and all conveyances of lands so sold, executed by the mayor and treasurer of the said city, purporting to convey the said lands so sold to the purchaser thereof or his heirs or assigns or to the said corporation, are hereby validated and confirmed, and shall have the effect of vesting the lands so sold in the purchaser or his heirs or assigns and in his or their heirs and assigns or in the said corporation and its successors and assigns, as the case may be, in fee simple free and clear of and from all title or interest whatsoever of the owners thereof, at the time of such sale, or their assigns and all charges and encumbrances thereon and dower therein, except taxes accruing after those for non-payment of which the said lands were sold.

Pending
litigation
not
affected.

(2) Nothing in this section contained shall affect or prejudice the rights of any person under any action, litigation or other proceedings now pending, but the same may be proceeded with and finally adjudicated upon in the same manner and as fully and effectually as if this Act had not been passed.

Commence-
ment of Act.

5. The provisions of this Act other than section 4 shall come into force on the day upon which it receives the Royal Assent. Section 4 shall come into force on July 1st, 1931.

SCHEDULE "A"

1. By-law Number 1455, being a by-law to authorize the borrowing of \$5,700 for permanent improvements to the Sault Ste. Marie Collegiate Institute.
2. By-law Number 1414, being a by-law to provide for the issue of debentures for \$15,000 to pay for the construction of a 30-inch reinforced concrete storm sewer on a portion of John Street and a 24-inch reinforced concrete storm sewer on a portion of Bloor Street.
3. By-law Number 1468, being a by-law to provide for the issue of debentures for \$40,000 to pay for the construction of reinforced concrete pavements on streets and of the dimensions set forth in said by-law.
4. By-law Number 1469, being a by-law to provide for the issue of debentures for \$21,400 to pay for the construction of storm sewers and granolithic sidewalks on the streets and of the dimensions set forth in said by-law.
5. By-law Number 1467, being a by-law to provide for the issue of debentures for \$3,900 to pay for the construction of sanitary sewers and private sewer connections on the streets and as specified in said by-law.
6. By-law Number 1462, being a by-law to provide for the issue of debentures for \$12,900 for diverting the Creek at Goulais Avenue in the City of Sault Ste. Marie and constructing an open ditch and other work in connection therewith.
7. By-law Number 1458, being a by-law to provide for the issue of debentures for \$8,000 for the purpose of cutting down Hearst Street Hill, the construction of an 18-inch storm sewer on Victoria Avenue, the straightening out of a creek in the Bay View Subdivision, the installing of 8-inch storm outlets with the necessary open ditches to relieve the flood conditions on Wellington Street, and other incidental work connected therewith.
8. By-law Number 1461, being a by-law to provide for the issue of debentures for \$35,000 for the construction of certain concrete storm sewers on North Street, St. Andrew's Terrace and St. George's Avenue, as set forth in said by-law.
9. By-law Number 1460, being a by-law to provide for the issue of debentures for \$25,000 to pay for the construction of certain concrete storm sewers on North Street, Railroad Avenue and Bloor Street, as set forth in said by-law.
10. By-law Number 1459, being a by-law to authorize the enclosing of a certain portion of Fort Creek, the expropriation of certain lands necessary therefor, and the issue of debentures for \$42,000 to pay for same.

An Act respecting the City of
Sault Ste. Marie.

1st Reading

2nd Reading

3rd Reading

MR. LYONS

(*Private Bill*)

No. 9

2ND SESSION, 18TH LEGISLATURE, ONTARIO
21 GEORGE V, 1931

BILL

An Act respecting the City of Sault Ste. Marie.

MR. LYONS

(PRIVATE BILL)

TORONTO
PRINTED BY HERBERT H. BALL
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

No. 9

1931

BILL

An Act respecting the City of Sault Ste. Marie.

Preamble.

WHEREAS the corporation of the city of Sault Ste. Marie has by a petition represented that it is desirable that its by-law number 1444, *set forth in schedule "A" hereto*, providing for the stopping up of certain highways and parts of highways and for selling and conveying the freehold in such highways to Algoma Central Terminals Limited, should be validated and confirmed, and also that its by-laws set forth in schedule "B" hereto should be validated and confirmed, and that all sales of land for taxes within the city of Sault Ste. Marie made subsequent to the thirty-first day of December, 1925, and prior to the first day of January, 1929, be validated and confirmed; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title

1. This Act may be cited as *The City of Sault Ste. Marie Act, 1931*.

By-law
No. 1444
confirmed.

2. By-law number 1444 of the said corporation, *set forth in schedule "A" hereto*, providing for the stopping up of certain highways and parts of highways and for selling and conveying the freehold in the highways and parts of highways so stopped up to Algoma Central Terminals Limited on the terms set out in said by-law, are confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof and upon the said Algoma Central Terminals Limited.

By-laws
set forth in
Schedule
"B" con-
firmed.

3. The by-laws of the said corporation specified in schedule "B" hereto and all debentures issued or to be issued thereunder are hereby confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof.

Tax sales
and
conveyances
confirmed.

4.—(1) All sales of land within the city of Sault Ste. Marie made subsequent to the thirty-first day of December, 1925, and prior to the first day of January, 1929, which purport to have been made by the said corporation or its treasurer for arrears of taxes in respect to lands so sold, are hereby validated and confirmed, and all conveyances of lands so sold, executed by the mayor and treasurer of the said city, purporting to convey the said lands so sold to the purchaser thereof or his heirs or assigns or to the said corporation, are hereby validated and confirmed, and shall have the effect of vesting the lands so sold in the purchaser or his heirs or assigns and in his or their heirs and assigns or in the said corporation and its successors and assigns, as the case may be, in fee simple free and clear of and from all title or interest whatsoever of the owners thereof, at the time of such sale, or their assigns and all charges and encumbrances thereon and dower therein, except taxes accruing after those for non-payment of which the said lands were sold.

Pending
litigation
not
affected.

(2) Nothing in this section contained shall affect or prejudice the rights of any person under any action, litigation or other proceedings now pending, but the same may be proceeded with and finally adjudicated upon in the same manner and as fully and effectually as if this Act had not been passed.

Commence-
ment of Act.

5. The provisions of this Act other than section 4 shall come into force on the day upon which it receives the Royal Assent. Section 4 shall come into force on July 1st, 1931.



SCHEDULE "A"

BY-LAW NO. 1444 OF THE CITY OF SAULT STE. MARIE

A By-law for stopping up certain highways and parts of highways and for selling the soil and freehold of such highways.

Whereas Algoma Central Terminals Limited and the Municipal Corporation of the City of Sault Ste. Marie are the owners of all the lots abutting on and adjacent to the highways and parts of highways hereinafter described.

And whereas the said Algoma Central Terminals Limited have represented that it is of importance to them for carrying on their railway operations that the highways and parts of highways hereinafter referred to should be stopped up and deeded to it in order that the said lots owned by it and the said highways and parts of highways may form a block of land.

And whereas the Municipal Corporation of the City of Sault Ste. Marie has deemed it expedient to stop the said highways and parts of highways hereinafter described and to sell the soil and freehold of the same together with other lots in the said vicinity to the said Algoma Central Terminals Limited.

Now therefore the Municipal Council of the Corporation of the City of Sault Ste. Marie enacts as follows:—

1. The following highways and parts of highways are hereby stopped up and closed, namely:

(a) St. Patrick's Street from the north boundary of Cathcart Street to a line drawn across said St. Patrick Street at right angles to the boundaries thereof and distant sixty-eight feet (68') northerly from the north boundary of Carleton Street.

(b) Adelaide Street from the southerly boundary of St. George Street to a line drawn across Adelaide Street at right angles to the boundaries thereof and distant sixty-eight feet (68') northerly from the northerly boundary of Carleton Street.

(c) Sherbourne Street from the southerly boundary of St. George Street to a line drawn across Sherbourne Street at right angles to the boundaries thereof and distant sixty-eight feet (68') northerly from the northerly boundary of Carleton Street.

(d) Curzon Street from the southerly boundary of St. George Street to the southerly boundary of Wellington Street.

(e) St. George Street from the westerly boundary of St. Patrick Street to the westerly boundary of Hudson Street.

(f) Carleton Street from the westerly boundary of St. Patrick Street to the westerly boundary of Hudson Street.

(g) The fourteen foot (14') lane immediately south of and adjoining Lots 116 to 121 inclusive, 144 to 149 inclusive, 172 to 177 inclusive, and 200 to 205 inclusive, in Block 4 of Kehoe and Cozens Subdivision of the Steward Survey of the Korah Block.

(h) The fourteen foot (14') lane immediately north of and adjacent to Lots numbers 214 to 219 inclusive, 186 to 191 inclusive, 158 to 163 inclusive, and 130 to 135 inclusive in said Block 4.

(i) The fourteen foot (14') lanes immediately west of and adjacent to Lots 122 to 129 inclusive, Lots 150 to 157 inclusive, Lots 178 to 185 inclusive, Lots 206 to 213 inclusive in said Block 4.

(j) The lane immediately east of and adjoining Lot 76 to a point fourteen feet (14') southerly from the northerly boundary of Lot 79.

(k) The fourteen foot (14') lane to the rear of and adjoining the southeasterly 20 feet of Lot 70, Lot 71 and Lots 108 to 112 inclusive in said Block 4.

(l) The fourteen foot (14') lane commencing at the westerly boundary of Hudson Street and running diagonally along the rear of Lots 94, 93, 92; the lane to the east of and adjacent to Lots 104 to 107 inclusive and the lane between Lot 92 and Lots 91, 90, 89, 88, 87 and 86 in said Block 4.

2. (a) A highway is hereby established and laid out to be known as Carleton Street in place of the Carleton Street stopped up and closed as provided in paragraph one above, and to be composed of the northerly fifty-two feet (52') of Lots 46 to 51 inclusive and 16 to 21 inclusive in said Block 4, together with the fourteen foot lane heretofore established and existing immediately north of and adjoining the said portions of the Lots in this paragraph described.

(b) A lane is hereby established composed of the northerly fourteen feet (14') of Lot 79 in said Block 4.

3. The soil and freehold in the said highways and parts of highways stopped up and closed as provided in paragraph one hereof shall be sold and conveyed to Algoma Central Terminals Limited, together with the southerly sixty-eight feet (68') of Lots numbers 16 to 21 inclusive, and of Lots 46, 47, 48, and Lots 125 to 143 inclusive, Lots 150 to 153 inclusive, Lots 163 to 166 inclusive, at or for the price or sum of Eighteen Hundred (\$1,800.00) Dollars.

4. The said sale and conveyance to the said Algoma Central Terminals Limited is conditional on it granting to the said Municipal Corporation a right, should the said Corporation at any time in the future in its judgment require to do so, to run a storm, sanitary or other sewer or sewers through or across the said Block of land owned or to be acquired hereunder by Algoma Central Terminals Limited, bounded on the west by the westerly boundary of St. Patrick Street hereby closed, on the east by the westerly boundary of Hudson Street, on the north by Wellington Street, and on the south by the southerly limit of the lands of the said Algoma Central Terminals Limited; provided, however, that the said Municipal Corporation, if it should exercise such right to run such sewers, shall pay all expenses in connection therewith or incidental thereto and shall indemnify and save harmless the said Algoma Central Terminals Limited from any loss, damage or expense in any way resulting from or connected with the laying of said sewers, during the process of constructing and laying the same, and/or in any way resulting from the presence of such sewer or sewers in the said land, and/or in their maintenance or the maintenance of any portion of them.

5. The Council shall hear in person or by his counsel, solicitor or agent any person who claims that his lane will be prejudicially affected by the by-law and who applies to be heard at the regular Council meeting to be held at the City hall on the 13th day of October, 1930.

Read a first time this 13th day of October, 1930.

Read a second and third time and finally passed in open Council this 13th day of October, 1930.

[SEAL]

JOHN McLARTY, *Mayor*.

R. G. CAMPBELL, *Clerk*.



SCHEDULE "B"

1. By-law Number 1455, being a by-law to authorize the borrowing of \$5,700 for permanent improvements to the Sault Ste. Marie Collegiate Institute.

2. By-law Number 1414, being a by-law to provide for the issue of debentures for \$15,000 to pay for the construction of a 30-inch reinforced concrete storm sewer on a portion of John Street and a 24-inch reinforced concrete storm sewer on a portion of Bloor Street.

3. By-law Number 1468, being a by-law to provide for the issue of debentures for \$40,000 to pay for the construction of reinforced concrete pavements on streets and of the dimensions set forth in said by-law.

4. By-law Number 1469, being a by-law to provide for the issue of debentures for \$21,400 to pay for the construction of storm sewers and granolithic sidewalks on the streets and of the dimensions set forth in said by-law.

5. By-law Number 1467, being a by-law to provide for the issue of debentures for \$3,900 to pay for the construction of sanitary sewers and private sewer connections on the streets and as specified in said by-law.

6. By-law Number 1462, being a by-law to provide for the issue of debentures for \$12,900 for diverting the Creek at Goulais Avenue in the City of Sault Ste. Marie and constructing an open ditch and other work in connection therewith.

7. By-law Number 1458, being a by-law to provide for the issue of debentures for \$8,000 for the purpose of cutting down Hearst Street Hill, the construction of an 18-inch storm sewer on Victoria Avenue, the straightening out of a creek in the Bay View Subdivision, the installing of 8-inch storm outlets with the necessary open ditches to relieve the flood conditions on Wellington Street, and other incidental work connected therewith.

8. By-law Number 1461, being a by-law to provide for the issue of debentures for \$35,000 for the construction of certain concrete storm sewers on North Street, St. Andrew's Terrace and St. George's Avenue, as set forth in said by-law.

9. By-law Number 1460, being a by-law to provide for the issue of debentures for \$25,000 to pay for the construction of certain concrete storm sewers on North Street, Railroad Avenue and Bloor Street, as set forth in said by-law.

10. By-law Number 1459, being a by-law to authorize the enclosing of a certain portion of Fort Creek, the expropriation of certain lands necessary therefor, and the issue of debentures for \$42,000 to pay for same.

BILL

An Act respecting the City of
Sault Ste. Marie.

1st Reading

February 17th, 1931

2nd Reading

3rd Reading

MR. LYONS

*(Reprinted as amended by the Private Bills
Committee.)*

2ND SESSION, 18TH LEGISLATURE, ONTARIO
21 GEORGE V, 1931

BILL

An Act respecting the City of Sault Ste. Marie.

MR. LYONS

No. 9

1931

BILL

An Act respecting the City of Sault Ste. Marie.

Preamble.

WHEREAS the corporation of the city of Sault Ste. Marie has by a petition represented that it is desirable that its by-law number 1444, set forth in schedule "A" hereto, providing for the stopping up of certain highways and parts of highways and for selling and conveying the freehold in such highways to Algoma Central Terminals Limited, should be validated and confirmed, and also that its by-laws set forth in schedule "B" hereto should be validated and confirmed, and that all sales of land for taxes within the city of Sault Ste. Marie made subsequent to the thirty-first day of December, 1925, and prior to the first day of January, 1929, be validated and confirmed; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The City of Sault Ste. Marie Act, 1931*.

By-law
No. 1444
confirmed.

2. By-law number 1444 of the said corporation, set forth in schedule "A" hereto, providing for the stopping up of certain highways and parts of highways and for selling and conveying the freehold in the highways and parts of highways so stopped up to Algoma Central Terminals Limited on the terms set out in said by-law, are confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof and upon the said Algoma Central Terminals Limited.

By-laws
set forth in
Schedule
"B" con-
firmed.

3. The by-laws of the said corporation specified in schedule "B" hereto and all debentures issued or to be issued thereunder are hereby confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof.

4.—(1) All sales of land within the city of Sault Ste. Marie made subsequent to the thirty-first day of December, 1925, and prior to the first day of January, 1929, which purport to have been made by the said corporation or its treasurer for arrears of taxes in respect to lands so sold, are hereby validated and confirmed, and all conveyances of lands so sold, executed by the mayor and treasurer of the said city, purporting to convey the said lands so sold to the purchaser thereof or his heirs or assigns or to the said corporation, are hereby validated and confirmed, and shall have the effect of vesting the lands so sold in the purchaser or his heirs or assigns and in his or their heirs and assigns or in the said corporation and its successors and assigns, as the case may be, in fee simple free and clear of and from all title or interest whatsoever of the owners thereof, at the time of such sale, or their assigns and all charges and encumbrances thereon and dower therein, except taxes accruing after those for non-payment of which the said lands were sold.

Tax sales
and
conveyances
confirmed.

(2) Nothing in this section contained shall affect or prejudice the rights of any person under any action, litigation or other proceedings now pending, but the same may be proceeded with and finally adjudicated upon in the same manner and as fully and effectually as if this Act had not been passed.

Pending
litigation
not
affected.

5. This Act shall come into force on the day upon which it receives the Royal Assent.

Commence-
ment of Act.

SCHEDULE "A"

BY-LAW NO. 1444 OF THE CITY OF SAULT-STE. MARIE

A By-law for stopping up certain highways and parts of highways and for selling the soil and freehold of such highways.

Whereas Algoma Central Terminals Limited and the Municipal Corporation of the City of Sault Ste. Marie are the owners of all the lots abutting on and adjacent to the highways and parts of highways hereinafter described.

And whereas the said Algoma Central Terminals Limited have represented that it is of importance to them for carrying on their railway operations that the highways and parts of highways hereinafter referred to should be stopped up and deeded to it in order that the said lots owned by it and the said highways and parts of highways may form a block of land.

And whereas the Municipal Corporation of the City of Sault Ste. Marie has deemed it expedient to stop the said highways and parts of highways hereinafter described and to sell the soil and freehold of the same together with other lots in the said vicinity to the said Algoma Central Terminals Limited.

Now therefore the Municipal Council of the Corporation of the City of Sault Ste. Marie enacts as follows:—

1. The following highways and parts of highways are hereby stopped up and closed, namely:

(a) St. Patrick's Street from the north boundary of Cathcart Street to a line drawn across said St. Patrick Street at right angles to the boundaries thereof and distant sixty-eight feet (68') northerly from the north boundary of Carleton Street.

(b) Adelaide Street from the southerly boundary of St. George Street to a line drawn across Adelaide Street at right angles to the boundaries thereof and distant sixty-eight feet (68') northerly from the northerly boundary of Carleton Street.

(c) Sherbourne Street from the southerly boundary of St. George Street to a line drawn across Sherbourne Street at right angles to the boundaries thereof and distant sixty-eight feet (68') northerly from the northerly boundary of Carleton Street.

(d) Curzon Street from the southerly boundary of St. George Street to the southerly boundary of Wellington Street.

(e) St. George Street from the westerly boundary of St. Patrick Street to the westerly boundary of Hudson Street.

(f) Carleton Street from the westerly boundary of St. Patrick Street to the westerly boundary of Hudson Street.

(g) The fourteen foot (14') lane immediately south of and adjoining Lots 116 to 121 inclusive, 144 to 149 inclusive, 172 to 177 inclusive, and 200 to 205 inclusive, in Block 4 of Kehoe and Cozens Subdivision of the Steward Survey of the Korah Block.

(h) The fourteen foot (14') lane immediately north of and adjacent to Lots numbers 214 to 219 inclusive, 186 to 191 inclusive, 158 to 163 inclusive, and 130 to 135 inclusive in said Block 4.

(i) The fourteen foot (14') lanes immediately west of and adjacent to Lots 122 to 129 inclusive, Lots 150 to 157 inclusive, Lots 178 to 185 inclusive, Lots 206 to 213 inclusive in said Block 4.

(j) The lane immediately east of and adjoining Lot 76 to a point fourteen feet (14') southerly from the northerly boundary of Lot 79.

(k) The fourteen foot (14') lane to the rear of and adjoining the southeasterly 20 feet of Lot 70, Lot 71 and Lots 108 to 112 inclusive in said Block 4.

(l) The fourteen foot (14') lane commencing at the westerly boundary of Hudson Street and running diagonally along the rear of Lots 94, 93, 92; the lane to the east of and adjacent to Lots 104 to 107 inclusive and the lane between Lot 92 and Lots 91, 90, 89, 88, 87 and 86 in said Block 4.

2. (a) A highway is hereby established and laid out to be known as Carleton Street in place of the Carleton Street stopped up and closed as provided in paragraph one above, and to be composed of the northerly fifty-two feet (52') of Lots 46 to 51 inclusive and 16 to 21 inclusive in said Block 4, together with the fourteen foot lane heretofore established and existing immediately north of and adjoining the said portions of the Lots in this paragraph described.

(b) A lane is hereby established composed of the northerly fourteen feet (14') of Lot 79 in said Block 4.

3. The soil and freehold in the said highways and parts of highways stopped up and closed as provided in paragraph one hereof shall be sold and conveyed to Algoma Central Terminals Limited, together with the southerly sixty-eight feet (68') of Lots numbers 16 to 21 inclusive, and of Lots 46, 47, 48, and Lots 125 to 143 inclusive, Lots 150 to 153 inclusive, Lots 163 to 166 inclusive, at or for the price or sum of Eighteen Hundred (\$1,800.00) Dollars.

4. The said sale and conveyance to the said Algoma Central Terminals Limited is conditional on it granting to the said Municipal Corporation a right, should the said Corporation at any time in the future in its judgment require to do so, to run a storm, sanitary or other sewer or sewers through or across the said Block of land owned or to be acquired hereunder by Algoma Central Terminals Limited, bounded on the west by the westerly boundary of St. Patrick Street hereby closed, on the east by the westerly boundary of Hudson Street, on the north by Wellington Street, and on the south by the southerly limit of the lands of the said Algoma Central Terminals Limited; provided, however, that the said Municipal Corporation, if it should exercise such right to run such sewers, shall pay all expenses in connection therewith or incidental thereto and shall indemnify and save harmless the said Algoma Central Terminals Limited from any loss, damage or expense in any way resulting from or connected with the laying of said sewers, during the process of constructing and laying the same, and/or in any way resulting from the presence of such sewer or sewers in the said land, and/or in their maintenance or the maintenance of any portion of them.

5. The Council shall hear in person or by his counsel, solicitor or agent any person who claims that his lane will be prejudicially affected by the by-law and who applies to be heard at the regular Council meeting to be held at the City hall on the 13th day of October, 1930.

Read a first time this 13th day of October, 1930.

Read a second and third time and finally passed in open Council this 13th day of October, 1930.

JOHN McLARTY, *Mayor.*

[SEAL]

R. G. CAMPBELL, *Clerk.*

SCHEDULE "B"

1. By-law Number 1455, being a by-law to authorize the borrowing of \$5,700 for permanent improvements to the Sault Ste. Marie Collegiate Institute.

2. By-law Number 1414, being a by-law to provide for the issue of debentures for \$15,000 to pay for the construction of a 30-inch reinforced concrete storm sewer on a portion of John Street and a 24-inch reinforced concrete storm sewer on a portion of Bloor Street.

3. By-law Number 1468, being a by-law to provide for the issue of debentures for \$40,000 to pay for the construction of reinforced concrete pavements on streets and of the dimensions set forth in said by-law.

4. By-law Number 1469, being a by-law to provide for the issue of debentures for \$21,400 to pay for the construction of storm sewers and granolithic sidewalks on the streets and of the dimensions set forth in said by-law.

5. By-law Number 1467, being a by-law to provide for the issue of debentures for \$30,000 to pay for the construction of sanitary sewers and private sewer connections on the streets and as specified in said by-law.

6. By-law Number 1462, being a by-law to provide for the issue of debentures for \$12,900 for diverting the Creek at Goulais Avenue in the City of Sault Ste. Marie and constructing an open ditch and other work in connection therewith.

7. By-law Number 1458, being a by-law to provide for the issue of debentures for \$8,000 for the purpose of cutting down Hearst Street Hill, the construction of an 18-inch storm sewer on Victoria Avenue, the straightening out of a creek in the Bay View Subdivision, the installing of 8-inch storm outlets with the necessary open ditches to relieve the flood conditions on Wellington Street, and other incidental work connected therewith.

8. By-law Number 1461, being a by-law to provide for the issue of debentures for \$35,000 for the construction of certain concrete storm sewers on North Street, St. Andrew's Terrace and St. George's Avenue, as set forth in said by-law.

9. By-law Number 1460, being a by-law to provide for the issue of debentures for \$25,000 to pay for the construction of certain concrete storm sewers on North Street, Railroad Avenue and Bloor Street, as set forth in said by-law.

10. By-law Number 1459, being a by-law to authorize the enclosing of a certain portion of Fort Creek, the expropriation of certain lands necessary therefor, and the issue of debentures for \$42,000 to pay for same.

BILL

An Act respecting the City of
Sault Ste. Marie.

1st Reading

February 17th, 1931

2nd Reading

February 27th, 1931

3rd Reading

March 13th, 1931

MR. LYONS

2ND SESSION, 18TH LEGISLATURE, ONTARIO
21 GEORGE V, 1931

BILL

An Act respecting the Township of Crowland.

MR. VAUGHAN

(PRIVATE BILL)

No. 10.

1931.

BILL

An Act respecting the Township of Crowland.

Preamble.

WHEREAS the corporation of the township of Crowland has by its petition prayed for special legislation confirming all tax sales held by it prior to the thirty-first day of December, 1929; and whereas it is deemed expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Township of Crowland Act, 1931.*

Tax sales
and
conveyances
prior to
31st Dec.,
1929,
confirmed.

2. All sales of land within the township of Crowland made prior to the thirty-first day of December, 1929, and which purport to be made by the said corporation or its treasurer for arrears of taxes in respect to the lands so sold, are hereby validated and confirmed, and all conveyances of land so sold, executed by the reeve and treasurer of the said township, purporting to convey the said lands so sold to the purchaser thereof or his heirs or assigns or to the said corporation are validated and confirmed and shall have the effect of vesting the lands so sold and conveyed in the purchaser or his heirs or assigns, and his or their heirs and assigns, or in the said corporation and its successor and assigns, as the case may be, in fee simple, free and clear of and from all right, title and interest whatsoever of the owners thereof at the time of such sale, or their assigns, and of all charges and encumbrances thereon and dower therein except taxes accruing after those for non-payment of which the said lands were sold.

Pending
litigation
not
affected.

3. Nothing in this Act contained shall affect any action or prejudice the rights of any person under litigation or other proceeding now pending, but the same may be proceeded with and finally adjudicated upon in the same manner and to the same extent as if this Act had not been passed.

Commence-
ment of Act.

4. The provisions of this Act shall come into force on the 1st day of July, 1931.



BILL

An Act respecting the Township
of Crowland

1st Reading

2nd Reading

3rd Reading

MR. VAUGHAN

(*Private Bill*)

No. 10

2ND SESSION, 18TH LEGISLATURE, ONTARIO
21 GEORGE V, 1931

BILL

An Act respecting the Township of Crowland.

MR. VAUGHAN

TORONTO
PRINTED BY HERBERT H. BALL
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

No. 10.

1931.

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An Act respecting the Township of Crowland.

Preamble.

WHEREAS the corporation of the township of Crowland has by its petition prayed for special legislation confirming all tax sales held by it prior to the thirty-first day of December, 1929; and whereas it is deemed expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Township of Crowland Act, 1931.*

Tax sales
and
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2. All sales of land within the township of Crowland made prior to the thirty-first day of December, 1929, and which purport to be made by the said corporation or its treasurer for arrears of taxes in respect to the lands so sold, are hereby validated and confirmed, and all conveyances of land so sold, executed by the reeve and treasurer of the said township, purporting to convey the said lands so sold to the purchaser thereof or his heirs or assigns or to the said corporation are validated and confirmed and shall have the effect of vesting the lands so sold and conveyed in the purchaser or his heirs or assigns, and his or their heirs and assigns, or in the said corporation and its successor and assigns, as the case may be, in fee simple, free and clear of and from all right, title and interest whatsoever of the owners thereof at the time of such sale, or their assigns, and of all charges and encumbrances thereon and dower therein except taxes accruing after those for non-payment of which the said lands were sold.

Pending
litigation
not
affected.

3. Nothing in this Act contained shall affect any action or prejudice the rights of any person under litigation or other proceeding now pending, but the same may be proceeded with and finally adjudicated upon in the same manner and to the same extent as if this Act had not been passed.

Commence-
ment of Act.

4. The provisions of this Act shall come into force on the 1st day of July, 1931.

BILL

An Act respecting the Township
of Crowland

1st Reading

February 17th, 1931

2nd Reading

February 27th, 1931

3rd Reading

March 13th, 1931

MR. VAUGHAN

2ND SESSION, 18TH LEGISLATURE, ONTARIO

21 GEORGE V, 1931

BILL

An Act respecting the City of Port Arthur.

MR. HOGARTH

(PRIVATE BILL)

TORONTO

PRINTED BY HERBERT H. BALL

PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

BILL

An Act respecting the City of Port Arthur.

Preamble.

WHEREAS the corporation of the city of Port Arthur has by petition represented that under the provisions of its by-law numbered 1827 and with the assent of the electors of the said city qualified to vote on money by-laws, it has entered into an agreement with Port Arthur Shipbuilding Company, Limited, dated the 28th day of February, 1927, to grant a fixed assessment for the lands and premises of the said company upon the terms and conditions more fully set out in the said agreement, and it is desirable that the said by-law and agreement should be validated; and whereas the said corporation has further represented that by reason of the great increase in the cost of construction of sewers it is desirable and reasonable that the special rate of one dollar per foot frontage chargeable in respect of such sewers under the provisions of section 20 of the Statutes of Ontario, 1903, chapter 76, being an Act respecting the said corporation, should be increased to two dollars per foot frontage; and whereas the said corporation has further represented it is desirable, notwithstanding the provisions of *The Assessment Act*, that no municipal income tax be imposed or levied in the said city; and whereas it is expedient to grant the prayers of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The City of Port Arthur Act, 1931*.

By-law
No. 1827
and agree-
ment with
Port Arthur
Shipbuilding
Company,
Limited,
confirmed.

2. By-law number 1827 of the corporation of the city of Port Arthur intituled "A by-law to authorize an agreement between the City and the Port Arthur Shipbuilding Company, Limited," and the agreement made between the said corporation and the said Port Arthur Shipbuilding Company, Limited, dated the 28th day of February, 1927, which agreement is set out in schedule "A" are confirmed and declared to be

legal, valid and binding on the said corporation and the ratepayers thereof and on the said company, its successors and assigns.

1903, c. 76,
s. 20, subs. 1,
amended.

3. Subsection 1 of section 20 of the Act respecting the town of Port Arthur, passed in the third year of the reign of His Majesty King Edward the Seventh, chaptered 76, is amended by striking out the words "one dollar" in the eighth line thereof and inserting in lieu thereof the words "two dollars."

Abolition of
municipal
income tax.

Rev. Stat.,
c. 238.

4. Notwithstanding anything contained in *The Assessment Act*, no income tax shall be imposed or levied by the said corporation on any resident in the city of Port Arthur, and the assessment commissioner of the said city shall not assess upon its assessment rolls any assessments of income.

Commence-
ment of Act.

5. The provisions of this Act other than section 3 shall come into force on the day upon which it receives the Royal Assent. Section 3 shall come into force on the 1st day of July, 1931.

SCHEDULE "A"

Agreement made in duplicate this 28th day of February, 1927.

BETWEEN:

PORT ARTHUR SHIPBUILDING COMPANY, LIMITED, hereinafter
called the "Company,"

of the first part,

—and—

THE MUNICIPAL CORPORATION OF THE CITY OF PORT
ARTHUR, hereinafter called the "City,"

of the second part.

Whereas the Company was incorporated for the purpose of carrying on a Dry Dock and Shipbuilding business in the City of Port Arthur and commenced business in the year 1916, succeeding the Western Dry Dock and Shipbuilding Company, Limited, which Company commenced business about the year 1911, and has been carrying on business continuously since that time; the two companies having paid out in wages about \$10,000,000 since commencing business.

And whereas after the cessation of the war, the business of shipbuilding practically ceased, and the business of ship repairing has not been sufficient to keep the Company's plant in continuous operation.

And whereas when this condition arose, in order to prevent the closing down of its plant, the Company began the development of departments for the manufacture of pulp and paper-mill machinery and commercial heating and power boilers;

And whereas the Company has already expended about \$200,000 in the development of the said new industries and it is estimated that a further sum of \$300,000 will be required to complete said development;

And whereas in operating its said plant, the Company is handicapped in competing with eastern manufacturers, owing to the difficulty and expense in securing skilled workmen and other help on the recurring occasions that fluctuations in volume of work require acquisition of such workmen and other skilled help and by higher average freight rate, and it is difficult to secure new capital as the Company has not been able to operate at a profit for some years;

And whereas the development of a plant for the manufacture of pulp and paper-mill machinery and commercial heating and power boilers will be of great benefit to the City of Port Arthur and would ensure the continuous operation of the Company's plant as a whole;

And whereas for the purpose of assisting the Company in securing new capital and in continuing to operate, the Company has requested the city to fix its assessment for general tax purposes, for the years 1930 to 1939, both inclusive, and the City has agreed to fix the Company's assessment for general tax purposes at One Hundred and Twenty-five Thousand Dollars (\$125,000) per annum, and in consideration thereof, the Company has agreed to execute this agreement.

Now this Agreement witnesseth that the parties hereto agree the one with the other as follows:

1. Subject to the terms of paragraph 2 hereof, the annual municipal assessment, including the business assessment, of the lands and premises and all other property and buildings of the Company, now or hereafter constructed, used or enjoyed by the Company, in connection therewith from time to time, situate within the City of Port Arthur, shall be, and the same is hereby fixed at the sum of One Hundred and Twenty-five Thousand Dollars (\$125,000) for the years 1930 to 1939, both inclusive.

2. Nothing in this agreement contained shall apply to or affect taxation for school purposes or local improvement rates.

3. The company, in consideration of the granting of such fixed assessment, agrees that its payroll during the said years 1930 to 1939 shall average at least Two Hundred Thousand Dollars (\$200,000) per annum, and that it will at the end of each year furnish to the City a statement, verified by some official of the Company, showing the amount of its payroll for such year. Provided, however, that should the Company's payroll in any one or more years during the first five (5) years of said ten (10) year period fall below the said sum of Two Hundred Thousand Dollars (\$200,000) the Company shall not thereby be deemed to be in default hereunder, if the total amount of said payroll amounts to \$1,000,000 for such five-year period, and in the same way, if the Company's payroll amounts to \$1,000,000 for the second five years of said ten-year period, the Company shall not be deemed to be in default hereunder, even though in any one or more years of said second five years the Company's payroll is less than \$200,000. Provided also that if by reason of fire, floods, storms or other Act of God, the Company is prevented from operating at any time during the said period, it shall not be deemed to be in default hereunder, providing it resumes operations within a reasonable time, and due allowance shall be made for non-payment of payroll during such stoppage.

4. At the expiration of the first five years of said period of fixed assessment, an account shall be taken of the payroll of the Company for said five years, and if the Company is found to be in default hereunder for said period, the City may, at its option, cancel this agreement, and the said fixed assessment shall, on such cancellation, cease and determine. At the expiration of the second five years of said period of fixed assessment, a similar account shall be taken, and if such annual payroll for the whole period of said fixed assessment has not averaged at least \$200,000 per year (subject to the proviso in the last paragraph mentioned as to Acts of God) the Company, and its property may, at the City's option, be declared liable to full assessment and taxation for the whole of said second period of five years.

5. This agreement shall enure to the benefit of and be binding upon the Company's successors and assigns.

6. This agreement is subject to the approval of the electors of the City of Port Arthur, entitled to vote thereon, and the City agrees to submit the same to the vote of such electors as soon as possible hereafter, and will further submit the same, and any by-law passed for such fixed assessment and the carrying out by the City of the terms of this agreement, to the Legislature of the Province of Ontario for validation at its next session and the Company shall pay the expenses of said vote and validation.

In witness whereof the parties hereto have caused these presents to be signed by their proper officers, and their Corporate Seals to be attached.

SIGNED, SEALED AND DELIVERED,

In the presence of:

A. R. IRVINE.

E. P. SERVAIS.

PORT ARTHUR SHIPBUILDING CO.,
LIMITED.

By (Sgd.) J. R. SMITH, *President*.
(Sgd.) A. B. CONMEE, *Secretary*.

MUNICIPAL CORPORATION OF THE CITY
OF PORT ARTHUR.

By (Sgd.) MILTON FRANCIS, *Mayor*.
(Sgd.) T. F. MILNE, *Clerk*.

BILL

An Act respecting the City of Port Arthur

1st Reading

2nd Reading

3rd Reading

9

MR. HOGARTH

(*Private Bill*)

No. 11

2ND SESSION, 18TH LEGISLATURE, ONTARIO
21 GEORGE V, 1931

BILL

An Act respecting the City of Port Arthur.

MR. HOGARTH

TORONTO
PRINTED BY HERBERT H. BALL
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

BILL

An Act respecting the City of Port Arthur.

Preamble.

WHEREAS the corporation of the city of Port Arthur has by petition represented that under the provisions of its by-law numbered 1827 and with the assent of the electors of the said city qualified to vote on money by-laws, it has entered into an agreement with Port Arthur Shipbuilding Company, Limited, dated the 28th day of February, 1927, to grant a fixed assessment for the lands and premises of the said company upon the terms and conditions more fully set out in the said agreement, and it is desirable that the said by-law and agreement should be validated; and whereas the said corporation has further represented that by reason of the great increase in the cost of construction of sewers it is desirable and reasonable that the special rate of one dollar per foot frontage chargeable in respect of such sewers under the provisions of section 20 of the Statutes of Ontario, 1903, chapter 76, being an Act respecting the said corporation, should be increased to two dollars per foot frontage; and whereas it is expedient to grant the prayers of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title. **1.** This Act may be cited as *The City of Port Arthur Act, 1931.*

By-law
No. 1827
and agree-
ment with
Port Arthur
Shipbuilding
Company,
Limited,
confirmed.

2. By-law number 1827 of the corporation of the city of Port Arthur intituled "A by-law to authorize an agreement between the City and the Port Arthur Shipbuilding Company, Limited," and the agreement made between the said corporation and the said Port Arthur Shipbuilding Company, Limited, dated the 28th day of February, 1927, which agreement is set out in schedule "A" are confirmed and declared to be

legal, valid and binding on the said corporation and the ratepayers thereof and on the said company, its successors and assigns.

3. Subsection 1 of section 20 of the Act respecting the town of Port Arthur, passed in the third year of the reign of His Majesty King Edward the Seventh, chaptered 76, is amended by striking out the words "one dollar" in the eighth line thereof and inserting in lieu thereof the words "two dollars."

1903, c. 76,
s. 20, subs. 1,
amended.

4. The provisions of this Act other than section 3 shall come into force on the day upon which it receives the Royal Assent. Section 3 shall come into force on the 1st day of July, 1931.

Commence-
ment of Act.

SCHEDULE "A"

Agreement made in duplicate this 28th day of February, 1927.

BETWEEN:

PORT ARTHUR SHIPBUILDING COMPANY, LIMITED, hereinafter
called the "Company,"

of the first part,

—and—

THE MUNICIPAL CORPORATION OF THE CITY OF PORT
ARTHUR, hereinafter called the "City,"

of the second part.

Whereas the Company was incorporated for the purpose of carrying on a Dry Dock and Shipbuilding business in the City of Port Arthur and commenced business in the year 1916, succeeding the Western Dry Dock and Shipbuilding Company, Limited, which Company commenced business about the year 1911, and has been carrying on business continuously since that time; the two companies having paid out in wages about \$10,000,000 since commencing business.

And whereas after the cessation of the war, the business of shipbuilding practically ceased, and the business of ship repairing has not been sufficient to keep the Company's plant in continuous operation.

And whereas when this condition arose, in order to prevent the closing down of its plant, the Company began the development of departments for the manufacture of pulp and paper-mill machinery and commercial heating and power boilers;

And whereas the Company has already expended about \$200,000 in the development of the said new industries and it is estimated that a further sum of \$300,000 will be required to complete said development;

And whereas in operating its said plant, the Company is handicapped in competing with eastern manufacturers, owing to the difficulty and expense in securing skilled workmen and other help on the recurring occasions that fluctuations in volume of work require acquisition of such workmen and other skilled help and by higher average freight rate, and it is difficult to secure new capital as the Company has not been able to operate at a profit for some years;

And whereas the development of a plant for the manufacture of pulp and paper-mill machinery and commercial heating and power boilers will be of great benefit to the City of Port Arthur and would ensure the continuous operation of the Company's plant as a whole;

And whereas for the purpose of assisting the Company in securing new capital and in continuing to operate, the Company has requested the city to fix its assessment for general tax purposes, for the years 1930 to 1939, both inclusive, and the City has agreed to fix the Company's assessment for general tax purposes at One Hundred and Twenty-five Thousand Dollars (\$125,000) per annum, and in consideration thereof, the Company has agreed to execute this agreement.

Now this Agreement witnesseth that the parties hereto agree the one with the other as follows:

1. Subject to the terms of paragraph 2 hereof, the annual municipal assessment, including the business assessment, of the lands and premises and all other property and buildings of the Company, now or hereafter constructed, used or enjoyed by the Company, in connection therewith from time to time, situate within the City of Port Arthur, shall be, and the same is hereby fixed at the sum of One Hundred and Twenty-five Thousand Dollars (\$125,000) for the years 1930 to 1939, both inclusive.

2. Nothing in this agreement contained shall apply to or affect taxation for school purposes or local improvement rates.

3. The company, in consideration of the granting of such fixed assessment, agrees that its payroll during the said years 1930 to 1939 shall average at least Two Hundred Thousand Dollars (\$200,000) per annum, and that it will at the end of each year furnish to the City a statement, verified by some official of the Company, showing the amount of its payroll for such year. Provided, however, that should the Company's payroll in any one or more years during the first five (5) years of said ten (10) year period fall below the said sum of Two Hundred Thousand Dollars (\$200,000) the Company shall not thereby be deemed to be in default hereunder, if the total amount of said payroll amounts to \$1,000,000 for such five-year period, and in the same way, if the Company's payroll amounts to \$1,000,000 for the second five years of said ten-year period, the Company shall not be deemed to be in default hereunder, even though in any one or more years of said second five years the Company's payroll is less than \$200,000. Provided also that if by reason of fire, floods, storms or other Act of God, the Company is prevented from operating at any time during the said period, it shall not be deemed to be in default hereunder, providing it resumes operations within a reasonable time, and due allowance shall be made for non-payment of payroll during such stoppage.

4. At the expiration of the first five years of said period of fixed assessment, an account shall be taken of the payroll of the Company for said five years, and if the Company is found to be in default hereunder for said period, the City may, at its option, cancel this agreement, and the said fixed assessment shall, on such cancellation, cease and determine. At the expiration of the second five years of said period of fixed assessment, a similar account shall be taken, and if such annual payroll for the whole period of said fixed assessment has not averaged at least \$200,000 per year (subject to the proviso in the last paragraph mentioned as to Acts of God) the Company, and its property may, at the City's option, be declared liable to full assessment and taxation for the whole of said second period of five years.

5. This agreement shall enure to the benefit of and be binding upon the Company's successors and assigns.

6. This agreement is subject to the approval of the electors of the City of Port Arthur, entitled to vote thereon, and the City agrees to submit the same to the vote of such electors as soon as possible hereafter, and will further submit the same, and any by-law passed for such fixed assessment and the carrying out by the City of the terms of this agreement, to the Legislature of the Province of Ontario for validation at its next session and the Company shall pay the expenses of said vote and validation.

In witness whereof the parties hereto have caused these presents to be signed by their proper officers, and their Corporate Seals to be attached.

SIGNED, SEALED AND DELIVERED,

In the presence of:

A. R. IRVINE.

E. P. SERVAIS.

PORT ARTHUR SHIPBUILDING CO.,
LIMITED.

By (Sgd.) J. R. SMITH, *President*.
(Sgd.) A. B. CONMEE, *Secretary*.

MUNICIPAL CORPORATION OF THE CITY
OF PORT ARTHUR.

By (Sgd.) MILTON FRANCIS, *Mayor*.
(Sgd.) T. F. MILNE, *Clerk*.

BILL

An Act respecting the City of Port Arthur

1st Reading

February 17th, 1931

2nd Reading

March 27th, 1931

3rd Reading

March 31st, 1931

MR. HOGARTH

No. 12

2ND SESSION, 18TH LEGISLATURE, ONTARIO
21 GEORGE V, 1931

BILL

An Act respecting the City of North Bay.

MR. HARRISON

(PRIVATE BILL)

TORONTO
PRINTED BY HERBERT H. BALL
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

No. 12

1931

BILL

An Act respecting the City of North Bay.

Preamble.

WHEREAS the corporation of the city of North Bay has by its petition represented that for upwards of thirty years there has been conducted in the said city a hospital known as the Queen Victoria Memorial Hospital and that to a considerable and increasing extent the financial burden of maintenance thereof falls upon the said corporation and in its interests and of the said hospital it is expedient that the said corporation should acquire, take over and operate the said hospital as a civic hospital and arrangements to that end have been made with the trustees of the said hospital to which the electors of the said city have assented; and, therefore, the said corporation has prayed that an Act be passed for such purpose; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.

1. This Act may be cited as *The City of North Bay Act, 1931.*

City of
North Bay
may acquire
Queen
Victoria
Memorial
Hospital
and operate
it as a civic
hospital.

2. The Queen Victoria Memorial Hospital of the city of North Bay and the board of managers thereof are hereby authorized and empowered to transfer and convey to the corporation of the city of North Bay all the real and personal estate and property belonging to and held by the said Queen Victoria Memorial Hospital, including the hospital and nurses' home properties and all equipment and supplies in respect of the same, and the said corporation of the city of North Bay is hereby authorized and empowered to accept and hold such property and to operate and maintain the same as a Civic General Hospital, and the said Queen Victoria Memorial Hospital and the said corporation are each of them hereby authorized and empowered to enter into and to execute all proper conveyances and agreements for and in connection with the transfer and conveyance of the said properties and assets to the said corporation.

Management
of hospital
by com-
mission.

3. The conduct and management of the affairs of the said hospital and of all said properties and assets shall be vested in a commission of five trustees to be known as "The North Bay Hospital Commission" to be composed as follows:

Composition
of com-
mission.

- (a) Four members of the said commission appointed by the council of the said corporation at the first meeting of the said council next after the date when this Act shall come into force to hold office for the year 1931 and until their successors are appointed and thereafter annually and at the first meeting in each year of the said council. Vacancies from any cause in the appointed members of the commission shall be filled by the said council.

- (b) The mayor for the time being of the said corporation.

Assumption
of hospital
liabilities.

4. The said corporation in taking over the said property and assets of the said hospital shall assume the same subject to the payment by the said corporation of all liabilities and debts which are owing by the corporation of the said hospital or which in any way are secured upon or a charge against the said properties and assets and shall indemnify the corporation of the said hospital and its board of managers against such liabilities and debts.

Power to
acquire
property.

5. The said corporation shall have the right and power to acquire such further real estate or other property or equipment as it may, from time to time consider necessary for the purpose of properly conducting the efficient operation of the said hospital, and to erect and maintain such buildings as may be necessary for such purposes.

Issues of
debentures
for improve-
ments.

Rev. Stat.,
c. 233.

6. The said corporation may from time to time by by-law passed with the assent of the electors of the said city qualified to vote on money by-laws, in accordance with the provisions of *The Municipal Act*, borrow upon debentures of the corporation such sums of money as may be necessary for renewing, improving, enlarging or adding to the said hospital and the equipment thereof.

Invest-
ments.

7. The said corporation may invest in such securities as may be deemed advisable any or all moneys which may at any time come into their possession in connection with the said hospital or may deposit the same in any chartered bank or other financial institution authorized to accept such deposits.

Nurses
training
school.

8. The said corporation may in connection with the said hospital maintain and conduct a training school for nurses and may provide for the issue of certificates or diplomas to

nurses educated therein and graduating therefrom, and generally to do all things necessary or usual to be done in the maintenance and operation of a general hospital, and to provide funds therefor by imposing rates on all rateable property within the said city.

Gifts, etc.

9. The said corporation shall be capable of receiving and taking from the Crown and from any person or body corporate by grant, gift, advances or otherwise, any land or interest in land, or any goods, chattels, moneys or effects for the use, support or purposes of the hospital, without a license in mortmain, and all persons or bodies corporate shall have full and unrestricted right to give, grant, advance and bequeath to the said corporation any land or interest in land or in goods, chattels, moneys or effects for use in connection with the construction, operation or maintenance of the said hospital.

Management
powers of
commission.

10. The said commission shall have the full conduct and management of the said hospital, with power to appoint and to remove at pleasure the secretary or bursar, the medical and other superintendents and their assistants and clerks and all other officers and servants, whom it may deem proper to engage for the purposes of the said hospital, and to fix the salaries and wages to be paid, and to regulate their privileges and duties, and to have the general control, direction and management of the said hospital, including the fees to be charged patients for accommodation in the said hospital, and of the expenditure of all moneys received or provided for the construction or improvement of the said hospital and for the operation and maintenance of the same; subject, however, to the said commission accounting to the council of the said corporation for all moneys received or paid out by the said commission and making a report to the said council of the work performed by the commission, such statements and reports to be furnished to the council at such time as the said council may require.

Rev. Stat.,
c. 359, to
apply.

11. The provisions of *The Hospitals and Charitable Institutions Act*, except where they are inconsistent with the provisions of this Act, shall apply.

Commence-
ment of Act.

12. This Act shall come into force on the day upon which it receives the Royal Assent.

BILL

An Act respecting the City of North Bay.

1st Reading

2nd Reading

3rd Reading

MR. HARRISON

(Private Bill)

No. 12

2ND SESSION, 18TH LEGISLATURE, ONTARIO
21 GEORGE V, 1931

BILL
An Act respecting the City of North Bay.

MR. HARRISON

(PRIVATE BILL)

TORONTO
PRINTED BY HERBERT H. BALL
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

No. 12

1931

BILL

An Act respecting the City of North Bay.

Preamble.

WHEREAS the corporation of the city of North Bay has by its petition represented that for upwards of thirty years there has been conducted in the said city a hospital known as the Queen Victoria Memorial Hospital and that to a considerable and increasing extent the financial burden of maintenance thereof falls upon the said corporation and in its interests and of the said hospital it is expedient that the said corporation should acquire, take over and operate the said hospital as a civic hospital and arrangements to that end have been made with the trustees of the said hospital to which the electors of the said city have assented; and, therefore, the said corporation has prayed that an Act be passed for such purpose; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.

1. This Act may be cited as *The City of North Bay Act, 1931*.

City of
North Bay
may acquire
Queen
Victoria
Memorial
Hospital
and operate
it as a civic
hospital.

2. The Queen Victoria Memorial Hospital of the city of North Bay and the board of managers thereof are hereby authorized and empowered to transfer and convey to the corporation of the city of North Bay all the real and personal estate and property belonging to and held by the said Queen Victoria Memorial Hospital, including the hospital and nurses' home properties and all equipment and supplies in respect of the same, and the said corporation of the city of North Bay is hereby authorized and empowered to accept and hold such property and to operate and maintain the same as a Civic General Hospital, and the said Queen Victoria Memorial Hospital and the said corporation are each of them hereby authorized and empowered to enter into and to execute all proper conveyances and agreements for and in connection with the transfer and conveyance of the said properties and assets to the said corporation.

Management
of hospital
by com-
mission.

3. The conduct and management of the affairs of the said hospital and of all said properties and assets shall be vested in a commission of five trustees to be known as "The North Bay Hospital Commission" to be composed as follows:

Composition
of com-
mission.

(a) Four members of the said commission appointed by the council of the said corporation at the first meeting of the said council next after the date when this Act shall come into force to hold office for the year 1931 and until their successors are appointed and thereafter annually and at the first meeting in each year of the said council. Vacancies from any cause in the appointed members of the commission shall be filled by the said council.

(b) The mayor for the time being of the said corporation.

Assumption
of hospital
liabilities.

4. The said corporation in taking over the said property and assets of the said hospital shall assume the same subject to the payment by the said corporation of all liabilities and debts which are owing by the corporation of the said hospital or which in any way are secured upon or a charge against the said properties and assets and shall indemnify the corporation of the said hospital and its board of managers against such liabilities and debts.

Power to
acquire
property.

Rev. Stat.,
c. 359.

5. Subject to *The Hospitals and Charitable Institutions Act* the said corporation shall have the right and power to acquire such further real estate or other property or equipment as it may, from time to time consider necessary for the purpose of properly conducting the efficient operation of the said hospital, and to erect and maintain such buildings as may be necessary for such purposes.

Issues of
debentures
for improve-
ments.

Rev. Stat.,
c. 233.

6. The said corporation may from time to time by by-law passed with the assent of the electors of the said city qualified to vote on money by-laws, in accordance with the provisions of *The Municipal Act*, borrow upon debentures of the corporation such sums of money as may be necessary for renewing, improving, enlarging or adding to the said hospital and the equipment thereof.

Invest-
ments.

7. The said corporation may invest in such *authorized trustee securities* as may be deemed advisable any or all moneys which may at any time come into their possession in connection with the said hospital or may deposit the same in any chartered bank or other financial institution authorized to accept such deposits.



Nurses
training
school.

8. The said corporation may in connection with the said hospital maintain and conduct a training school for nurses and may provide for the issue of certificates or diplomas to

nurses educated therein and graduating therefrom, and generally to do all things necessary or usual to be done in the maintenance and operation of a general hospital, and to provide funds therefor by imposing rates on all rateable property within the said city.



Gifts, etc.

Rev. Stat.,
c. 132.

 **9.** Subject to *The Mortmain and Charitable Uses Act*  the said corporation shall be capable of receiving and taking from the Crown and from any person or body corporate by grant, gift, advances or otherwise, any land or interest in land, or any goods, chattels, moneys or effects for the use, support or purposes of the hospital, and all persons or bodies corporate shall have full and unrestricted right to give, grant, advance and bequeath to the said corporation any land or interest in land or in goods, chattels, moneys or effects for use in connection with the construction, operation or maintenance of the said hospital.

Management
powers of
commission.

Rev. Stat.,
c. 359.

 **10.** Subject to *The Hospitals and Charitable Institutions Act*  the said commission shall have the full conduct and management of the said hospital, with power to appoint and to remove at pleasure the secretary or bursar, the medical and other superintendents and their assistants and clerks and all other officers and servants, whom it may deem proper to engage for the purposes of the said hospital, and to fix the salaries and wages to be paid, and to regulate their privileges and duties, and to have the general control, direction and management of the said hospital, including the fees to be charged patients for accommodation in the said hospital, and of the expenditure of all moneys received or provided for the construction or improvement of the said hospital and for the operation and maintenance of the same; subject, however, to the said commission accounting to the council of the said corporation for all moneys received or paid out by the said commission and making a report to the said council of the work performed by the commission, such statements and reports to be furnished to the council at such time as the said council may require.

Commence-
ment of Act.

11. This Act shall come into force on the day upon which it receives the Royal Assent.

BILL

An Act respecting the City of North Bay.

1st Reading

March 2nd, 1931

2nd Reading

3rd Reading

MR. HARRISON

*(Reprinted as amended by the Private Bills
Committee)*

No. 12

2ND SESSION, 18TH LEGISLATURE, ONTARIO
21 GEORGE V, 1931

BILL

An Act respecting the City of North Bay.

MR. HARRISON

TORONTO
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No. 12

1931

BILL

An Act respecting the City of North Bay.

Preamble.

WHEREAS the corporation of the city of North Bay has by its petition represented that for upwards of thirty years there has been conducted in the said city a hospital known as the Queen Victoria Memorial Hospital and that to a considerable and increasing extent the financial burden of maintenance thereof falls upon the said corporation and in its interests and of the said hospital it is expedient that the said corporation should acquire, take over and operate the said hospital as a civic hospital and arrangements to that end have been made with the trustees of the said hospital to which the electors of the said city have assented; and, therefore, the said corporation has prayed that an Act be passed for such purpose; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.

1. This Act may be cited as *The City of North Bay Act, 1931*.

City of
North Bay
may acquire
Queen
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hospital.

2. The Queen Victoria Memorial Hospital of the city of North Bay and the board of managers thereof are hereby authorized and empowered to transfer and convey to the corporation of the city of North Bay all the real and personal estate and property belonging to and held by the said Queen Victoria Memorial Hospital, including the hospital and nurses' home properties and all equipment and supplies in respect of the same, and the said corporation of the city of North Bay is hereby authorized and empowered to accept and hold such property and to operate and maintain the same as a Civic General Hospital, and the said Queen Victoria Memorial Hospital and the said corporation are each of them hereby authorized and empowered to enter into and to execute all proper conveyances and agreements for and in connection with the transfer and conveyance of the said properties and assets to the said corporation.

3. The conduct and management of the affairs of the said hospital and of all said properties and assets shall be vested in a commission of five trustees to be known as "The North Bay Hospital Commission" to be composed as follows:

Management
of hospital
by com-
mission.

- (a) Four members of the said commission appointed by the council of the said corporation at the first meeting of the said council next after the date when this Act shall come into force to hold office for the year 1931 and until their successors are appointed and thereafter annually and at the first meeting in each year of the said council. Vacancies from any cause in the appointed members of the commission shall be filled by the said council.

Composition
of com-
mission.

- (b) The mayor for the time being of the said corporation.

4. The said corporation in taking over the said property and assets of the said hospital shall assume the same subject to the payment by the said corporation of all liabilities and debts which are owing by the corporation of the said hospital or which in any way are secured upon or a charge against the said properties and assets and shall indemnify the corporation of the said hospital and its board of managers against such liabilities and debts.

Assumption
of hospital
liabilities.

5. Subject to *The Public Hospitals Act, 1931*, the said corporation shall have the right and power to acquire such further real estate or other property or equipment as it may, from time to time consider necessary for the purpose of properly conducting the efficient operation of the said hospital, and to erect and maintain such buildings as may be necessary for such purposes.

Power to
acquire
property.

1931, c. 78.

6. The said corporation may from time to time by by-law passed with the assent of the electors of the said city qualified to vote on money by-laws, in accordance with the provisions of *The Municipal Act*, borrow upon debentures of the corporation such sums of money as may be necessary for renewing, improving, enlarging or adding to the said hospital and the equipment thereof.

Issues of
debentures
for improve-
ments.

Rev. Stat.,
c. 233.

7. The said corporation may invest in such authorized trustee securities as may be deemed advisable any or all moneys which may at any time come into their possession in connection with the said hospital or may deposit the same in any chartered bank or other financial institution authorized to accept such deposits.

Invest-
ments.

8. The said corporation may in connection with the said hospital maintain and conduct a training school for nurses and may provide for the issue of certificates or diplomas to

Nurses
training
school.

nurses educated therein and graduating therefrom, and generally to do all things necessary or usual to be done in the maintenance and operation of a general hospital, and to provide funds therefor by imposing rates on all rateable property within the said city.

Gifts, etc.

Rev. Stat.,
c. 132.

9. Subject to *The Mortmain and Charitable Uses Act* the said corporation shall be capable of receiving and taking from the Crown and from any person or body corporate by grant, gift, advances or otherwise, any land or interest in land, or any goods, chattels, moneys or effects for the use, support or purposes of the hospital, and all persons or bodies corporate shall have full and unrestricted right to give, grant, advance and bequeath to the said corporation any land or interest in land or in goods, chattels, moneys or effects for use in connection with the construction, operation or maintenance of the said hospital.

Management
powers of
commission.

1931, c. 78.

10. Subject to *The Public Hospitals Act, 1931*, the said commission shall have the full conduct and management of the said hospital, with power to appoint and to remove at pleasure the secretary or bursar, the medical and other superintendents and their assistants and clerks and all other officers and servants, whom it may deem proper to engage for the purposes of the said hospital, and to fix the salaries and wages to be paid, and to regulate their privileges and duties, and to have the general control, direction and management of the said hospital, including the fees to be charged patients for accommodation in the said hospital, and of the expenditure of all moneys received or provided for the construction or improvement of the said hospital and for the operation and maintenance of the same; subject, however, to the said commission accounting to the council of the said corporation for all moneys received or paid out by the said commission and making a report to the said council of the work performed by the commission, such statements and reports to be furnished to the council at such time as the said council may require.

Commence-
ment of Act.

11. This Act shall come into force on the day upon which it receives the Royal Assent.

BILL

An Act respecting the City of North Bay.

1st Reading

March 2nd, 1931

2nd Reading

March 11th, 1931

3rd Reading

March 16th, 1931

MR. HARRISON

No. 13

2ND SESSION, 18TH LEGISLATURE, ONTARIO
21 GEORGE V, 1931

BILL

An Act respecting the Toronto East General Hospital.

MR. OAKLEY

(PRIVATE BILL)

TORONTO
PRINTED BY HERBERT H. BALL
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

No. 13

1931

BILL

An Act respecting the Toronto East General Hospital.

Preamble.

WHEREAS the Toronto East General Hospital has by its petition represented that it is desirable to increase the number of the members of its board of governors to be elected by its subscribers from six to twelve; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Toronto East General Hospital Act, 1931*.

1926, c. 116,
s. 3, subs. 2,
amended.

Number of
governors
increased.

2. Subsection 2 of section 3 of the Act incorporating the Toronto East General Hospital, passed in the sixteenth year of the reign of His Majesty King George the Fifth, chaptered 116, is amended by striking out the word "six" in the sixth line of the said subsection and inserting in lieu thereof the word "twelve."

Election of
additional
governors.

3. The board of governors of the said hospital shall appoint six additional governors who shall hold office until the next annual meeting of the subscribers to be held in the month of January, 1932, and thereafter such additional governors shall be elected according to the provisions of the said Act.

Commence-
ment of Act.

4. This Act shall come into force on the day upon which it receives the Royal Assent.

BILL

An Act respecting the Toronto East
General Hospital.

1st Reading

2nd Reading

3rd Reading

MR. OAKLEY

(*Private Bill*)

No. 13

2ND SESSION, 18TH LEGISLATURE, ONTARIO

21 GEORGE V, 1931

BILL

An Act respecting the Toronto East General Hospital.

MR. OAKLEY

TORONTO

PRINTED BY HERBERT H. BALL

PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

No. 13

1931

BILL

An Act respecting the Toronto East General Hospital.

Preamble.

WHEREAS the Toronto East General Hospital has by its petition represented that it is desirable to increase the number of the members of its board of governors to be elected by its subscribers from six to not exceeding twelve; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Toronto East General Hospital Act, 1931*.

1926, c. 116,
s. 3,
amended.

2. Section 3 of the Act incorporating The Toronto East General Hospital passed in the sixteenth year of the reign of His Majesty King George V, chaptered 116, is amended by adding thereto the following subsection:

Number
of elected
Governors
may be
increased.

(4) The Board may by by-law at any time increase the number of members to be elected by the subscribers from six as provided for in subsection 2 to not exceeding twelve members. Any such additional members to be appointed by the Board to hold office until the annual meeting of the subscribers next after the date of their respective appointments, and thereafter such additional members shall be elected in accordance with the provisions of this Act.

Commence-
ment of Act.

3. This Act shall come into force on the day upon which it receives the Royal Assent.

BILL

An Act respecting the Toronto East
General Hospital.

1st Reading

February 17th, 1931

2nd Reading

February 27th, 1931

3rd Reading

March 13th, 1931

MR. OAKLEY

No. 14

2ND SESSION, 18TH LEGISLATURE, ONTARIO

21 GEORGE V, 1931

BILL

An Act respecting the Crown Trust Company.

MR. OAKLEY

(PRIVATE BILL)

TORONTO

PRINTED BY HERBERT H. BALL

PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

No. 14

1931

BILL

An Act respecting the Crown Trust Company.

Preamble.

WHEREAS Crown Trust Company (hereinafter called "the Company") has, by its petition, represented that it was incorporated by a Special Act of the Legislature of the province of Quebec, passed in the ninth year of the reign of His Majesty King Edward the Seventh, which said Act was amended by an Act of the said Legislature passed in the tenth year of the reign of His Majesty King George the Fifth, and which Act was further amended by an Act of the said Legislature passed in the nineteenth year of the reign of His Majesty King George the Fifth, under the name of Crown Trust Company, and that its present permanent capital stock authorized is five million dollars (\$5,000,000), of which one million dollars (\$1,000,000) has been subscribed for, issued and allotted, and upon which one million dollars (\$1,000,000) has been paid in in cash; and whereas the company has prayed for the passing of an Act authorizing it to transact only the business of a trust company in the province of Ontario in conformity to the public general law thereof; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario enacts as follows:

Short title.

1. This Act may be cited as *The Crown Trust Company Act, 1931*.

Power to carry on business of a trust company in Ontario.

Rev. Stat. c. 223.

2. Upon giving security to the satisfaction of the Lieutenant-Governor in Council, in a sum of not less than two hundred thousand dollars (\$200,000) the company may, upon filing with the registrar appointed under *The Loan and Trust Corporations Act* power of attorney as required by section 126 of the said last mentioned Act and upon being registered under the said Act, be authorized and empowered to carry on and exercise in the province of Ontario the business of a trust company with the powers set forth in *The Loan and Trust Corporations Act*.

Increased security may be required.

3. The Lieutenant-Governor in Council may at any time, or from time to time increase the amount of such security by a notice in writing to the manager or secretary at the chief agency of the company in the province of Ontario; and if the company fails to furnish such increased security within two months after such notice, then and thereupon the company shall, *ipso facto*, become disentitled and shall cease to do further business in the said province.

Chief agency in the province.

4. The chief agency of the company for the province of Ontario shall be in the city of Toronto and the company shall keep at the said chief agency a manager and secretary, who, as well as all other officers at the said agency, or in the said province, shall in respect of all business transacted by the company in the said province be absolutely subject to the control of the courts of the said province as fully as if the head office of the company were within the said province, and as if the company were wholly managed and controlled therein.

Investments.

5. All the investments of the company in respect of all trust business entrusted to it in the province of Ontario shall (subject to the provisions as to investments contained in the deed, will or other instrument of trust, and subject to the direction, if any, of the Supreme Court or of any judge thereof) be wholly invested at one or other of the agencies of the company in the said province; and the trust securities representing such investments from time to time shall be held and retained at all times at one or other of such agencies and under the control of the courts of the said province, the said trust securities shall (subject to the provisions of the said instruments of trust) be securities in which trustees or trust companies are, by the law of the said province, authorized to invest trust funds.

Ontario laws to apply.

6. The company shall be limited in respect of all business relating to property and civil rights or provincial objects in the province of Ontario, to the powers mentioned in the schedule to *The Loan and Trust Corporations Act*, and shall be subject to the general provisions of the said Act and of the general public law of the said province relating to trust companies and trusts.

Trust funds to be earmarked.

7. The moneys and securities of each trust shall always be kept distinct from those of the company and in separate accounts, and so marked in the books of the company for each particular trust as always to be distinguished from any other in the registers and other books of account kept by the company and at no time shall trust moneys form part of or be mixed with the general assets of the company.

Trust funds
not subject
to com-
pany's debts.

8. Moneys, properties and securities received or held by the company upon trust or as agent of any person or corporation shall not be liable for the debts or obligations of the company.

Trust funds
accounting.

9. In the case of the appointment of the company to any trust or office by any court or judge in Ontario, such court or judge may at any time and from time to time require the company to render an account of its administration of the particular trust or office to which the company has been so appointed and a judge of the Supreme Court may also at any time and from time to time appoint a suitable person to investigate the affairs and management of the company, and as to the security offered to those by or for whom its engagements are held, and such person shall make his report to such court or judge and the costs and expenses of such investigation shall be borne as ordered by such court or judge.

Commence-
ment of
business.

10. Nothing in this Act shall be deemed to authorize the company to commence business in Ontario until it has been registered as required by the provisions of *The Loan and Trust Corporations Act*, nor to continue except when so registered.

Commence-
ment of Act.

11. This Act shall come into force on the day upon which it receives the Royal Assent.

BILL

An Act respecting the Crown Trust
Company.

1st Reading

2nd Reading

3rd Reading

MR. OAKLEY

(*Private Bill*)

No. 14

2ND SESSION, 18TH LEGISLATURE, ONTARIO

21 GEORGE V, 1931

BILL

An Act respecting the Crown Trust Company.

MR. OAKLEY

TORONTO

PRINTED BY HERBERT H. BALL

PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

No. 14

1931

BILL

An Act respecting the Crown Trust Company.

Preamble.

WHEREAS Crown Trust Company (hereinafter called "the Company") has, by its petition, represented that it was incorporated by a Special Act of the Legislature of the province of Quebec, passed in the ninth year of the reign of His Majesty King Edward the Seventh, which said Act was amended by an Act of the said Legislature passed in the tenth year of the reign of His Majesty King George the Fifth, and which Act was further amended by an Act of the said Legislature passed in the nineteenth year of the reign of His Majesty King George the Fifth, under the name of Crown Trust Company, and that its present permanent capital stock authorized is five million dollars (\$5,000,000), of which one million dollars (\$1,000,000) has been subscribed for, issued and allotted, and upon which one million dollars (\$1,000,000) has been paid in in cash; and whereas the company has prayed for the passing of an Act authorizing it to transact only the business of a trust company in the province of Ontario in conformity to the public general law thereof; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario enacts as follows:

Short title.

1. This Act may be cited as *The Crown Trust Company Act, 1931*.

Power to carry on business of a trust company in Ontario.

Rev. Stat. c. 223.

2. Upon giving security to the satisfaction of the Lieutenant-Governor in Council, in a sum of not less than two hundred thousand dollars (\$200,000) the company may, upon filing with the registrar appointed under *The Loan and Trust Corporations Act* power of attorney as required by section 126 of the said last mentioned Act and upon being registered under the said Act, be authorized and empowered to carry on and exercise in the province of Ontario the business of a trust company with the powers set forth in *The Loan and Trust Corporations Act*.

3. The Lieutenant-Governor in Council may at any time, or from time to time increase the amount of such security by a notice in writing to the manager or secretary at the chief agency of the company in the province of Ontario; and if the company fails to furnish such increased security within two months after such notice, then and thereupon the company shall, *ipso facto*, become disentitled and shall cease to do further business in the said province.

4. The chief agency of the company for the province of Ontario shall be in the city of Toronto and the company shall keep at the said chief agency a manager and secretary, who, as well as all other officers at the said agency, or in the said province, shall in respect of all business transacted by the company in the said province be absolutely subject to the control of the courts of the said province as fully as if the head office of the company were within the said province, and as if the company were wholly managed and controlled therein.

5. All the investments of the company in respect of all trust business entrusted to it in the province of Ontario shall (subject to the provisions as to investments contained in the deed, will or other instrument of trust, and subject to the direction, if any, of the Supreme Court or of any judge thereof) be wholly invested at one or other of the agencies of the company in the said province; and the trust securities representing such investments from time to time shall be held and retained at all times at one or other of such agencies and under the control of the courts of the said province, the said trust securities shall (subject to the provisions of the said instruments of trust) be securities in which trustees or trust companies are, by the law of the said province, authorized to invest trust funds.

6. The company shall be limited in respect of all business relating to property and civil rights or provincial objects in the province of Ontario, to the powers mentioned in the schedule to *The Loan and Trust Corporations Act*, and shall be subject to the general provisions of the said Act and of the general public law of the said province relating to trust companies and trusts.

7. The moneys and securities of each trust shall always be kept distinct from those of the company and in separate accounts, and so marked in the books of the company for each particular trust as always to be distinguished from any other in the registers and other books of account kept by the company and at no time shall trust moneys form part of or be mixed with the general assets of the company.

Trust funds
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to com-
pany's debts.

8. Moneys, properties and securities received or held by the company upon trust or as agent of any person or corporation shall not be liable for the debts or obligations of the company.

Trust funds
accounting.

9. In the case of the appointment of the company to any trust or office by any court or judge in Ontario, such court or judge may at any time and from time to time require the company to render an account of its administration of the particular trust or office to which the company has been so appointed and a judge of the Supreme Court may also at any time and from time to time appoint a suitable person to investigate the affairs and management of the company, and as to the security offered to those by or for whom its engagements are held, and such person shall make his report to such court or judge and the costs and expenses of such investigation shall be borne as ordered by such court or judge.

Commence-
ment of
business.

10. Nothing in this Act shall be deemed to authorize the company to commence business in Ontario until it has been registered as required by the provisions of *The Loan and Trust Corporations Act*, nor to continue except when so registered.

Commence-
ment of Act.

11. This Act shall come into force on the day upon which it receives the Royal Assent.

BILL

An Act respecting the Crown Trust
Company.

1st Reading

February 25th, 1931

2nd Reading

March 4th, 1931

3rd Reading

March 13th, 1931

MR. OAKLEY

2ND SESSION, 18TH LEGISLATURE, ONTARIO

21 GEORGE V, 1931

BILL

An Act respecting the Town of Penetanguishene.

MR. SIMPSON

(PRIVATE BILL)

TORONTO

PRINTED BY HERBERT H. BALL

PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

No. 15

1931

BILL

An Act respecting the Town of Penetanguishene.

Preamble.

WHEREAS the corporation of the town of Penetanguishene has by its petition represented that it is desirable that its by-law number 739 passed with the assent of the electors of the said town qualified to vote on money by-laws and an agreement bearing date the 31st day of March, 1930, between the said corporation and The Dominion Stove and Foundry Company, Limited, authorizing a loan by the said corporation of \$50,000 to the said company and the issue of debentures by the said corporation for such purpose be confirmed; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Town of Penetanguishene Act, 1931*.

By-law and agreement confirmed.

2. Subject to the provisions of this Act, by-law number 739 of the corporation of the town of Penetanguishene, and the agreement dated 31st day of March, 1930, between the said corporation and The Dominion Stove and Foundry Company, Limited, which agreement is set forth in schedule "A" hereto, are hereby ratified and confirmed and declared to be legal, valid and binding upon the said corporation and the rate-payers thereof, and upon the said company, its successors and assigns.

Title to land and stock.

3. The said corporation shall retain title to the lands occupied by the buildings of the said company and shall retain \$25,000 of capital stock of the said company which it now holds, and all its rights thereunder, until the expiration of the term of the said agreement and of the debentures issued or to be issued under the said by-law.

Debentures confirmed.

4. The debentures issued or to be issued under the provisions of the said by-law are hereby ratified and confirmed and

declared to be legal, valid and binding upon the said corporation and the ratepayers thereof.

Commence-
ment of Act.

5. This Act shall come into force on the day upon which it receives the Royal Assent.

SCHEDULE "A"

Memorandum of Agreement made this 31st day of March, A.D. 1930.

BETWEEN:

THE MUNICIPAL CORPORATION OF THE TOWN OF PENETANGUISHENE, hereinafter called the Corporation,

of the first part;

—and—

THE DOMINION STOVE AND FOUNDRY COMPANY, LIMITED,
hereinafter called the Company,

of the second part.

Whereas the Corporation is the owner in fee simple of Lots 110, 111, 112 and 113, West of Fox Street in the said Town, Plan No. 70, upon which are erected the buildings of the Company;

And whereas the Corporation under authority of its By-laws has made advances to the Company for erection of its buildings and the Debentures of the Corporation issued to make such advances are not yet fully matured;

And whereas a very considerable portion of the works of the Company were destroyed by a fire which occurred on March 7th, 1930;

And whereas the Company's business, prior to the said fire, had increased to such an extent as to make it necessary to build and equip further buildings for the carrying on of its business.

And whereas the said Company gives employment to a large number of citizens of this Corporation;

And whereas the Corporation, for the protection of its interest in the Company and that the Company may continue to provide such employment, desires that the said works of the Company should be restored and that such new buildings and equipment as required should be procured, and is willing to make further advances for the said purposes to the Company upon such security and upon such terms and conditions as hereinafter set forth;

And whereas the value of the buildings and fixed assets of the Company is the sum of \$360,000.00;

Now, This Indenture Witnesseth that in consideration of the premises and the stipulations and covenants herein on the part of the said parties severally contained, the said parties hereby covenant, promise and agree each with the other of them, as follows:

(1) The Corporation shall advance and pay over to the Company such amount as may be required for erection and equipment of such buildings as are necessary, but the total amount so advanced shall not exceed the sum of \$50,000, and shall be used for the said purposes and for no other purpose.

(2) The Company agrees to repay to the Corporation the amount of the said loan, together with interest, in annual instalments at the same time and as nearly as may be in the same manner and at the same rate of interest as the moneys secured by the Debentures issued by the Corporation to secure the funds necessary to pay the said loan to the Company, are payable.

(3) The Company, as security to the Corporation for the payment to the Corporation of the said sums, shall execute and deliver to the Corporation a first mortgage upon all the buildings and fixed assets of the Company, or bonds secured by all the said buildings and fixed assets of the Company.

(4) The Company agrees to insure and keep insured during the term of this Agreement its said buildings, at their proper insurable value, with loss payable to the Corporation as its interest may appear.

(5) The Debentures to be issued by the Corporation shall run for a period of ten years and shall bear interest at a rate not greater than $5\frac{1}{2}\%$ and shall be repayable in equal instalments of principal and interest.

(6) The Company agrees to maintain and operate and keep in repair its buildings during the said term of the said debentures and until the said loan shall be fully repaid.

(7) The title to the said lands shall remain in the name of the Corporation, and the Deed of the same shall not be given to the Company, until the said term of this agreement shall have matured, but when the said loan and former advances as above mentioned shall be fully repaid, the Company shall be entitled to and shall be given a Deed of the said lands free of all encumbrance.

(8) The Capital Stock to the amount of \$25,000 which the Corporation now holds, issued to the Corporation under Agreement with the Company confirmed by By-law No. 435 of the Corporation, shall not be re-assigned to the Company until the expiration of the term created under this Agreement, and all the rights of the Corporation in connection with the said stock as set forth in the said Agreement are hereby preserved, and shall remain in full force and effect during the said term.

(9) The Corporation by its Council, as soon as possible, shall submit to the electors of the Municipality, under the provisions of *The Municipal Act*, a by-law authorizing the said loan and the issue of the debentures to pay for same.

(10) In case the said by-law is assented to by the electors, the Corporation by its Council shall pass the said by-law, and in case the said by-law, on submission shall not receive the assent of the electors as provided by *The Municipal Act*, then this agreement and the said by-law shall be null and void and of no effect.

(11) The Corporation agrees to apply to the Legislature for a Special Act authorizing and confirming the said By-law and Agreement.

(12) The Company agrees to pay charges for the preparation of this agreement and the said by-law and for the preparation of debentures, brokerage charges, cost of submission of by-law, cost of special Act validating same and other necessary expenditures incidental thereto.

(13) All of the proceeds of the debentures issued by the Corporation to provide for this said loan shall be paid to the Company, but if the debentures shall be sold for less than par value, only the proceeds of same shall be so paid over, and no further amount.

In witness whereof the Parties hereto have hereunto affixed their respective Corporate Seals and the hands of their respective proper officers.

SIGNED, SEALED AND DELIVERED
In the presence of:

(Signed) J. B. JENNINGS,
(Corporate Seal) *Mayor.*

(Signed) W. H. HEWSON,
Clerk.

(Signed) S. M. MARSHALL,
(Corporate Seal) *President.*

(Signed) C. P. GRADY,
Secretary.

BILL

An Act respecting the Town of
Penetanguishene.

1st Reading

2nd Reading

3rd Reading

MR. SIMPSON

(*Private Bill*)

No. 15

2ND SESSION, 18TH LEGISLATURE, ONTARIO
21 GEORGE V, 1931

BILL

An Act respecting the Town of Penetanguishene.

MR. SIMPSON

TORONTO
PRINTED BY HERBERT H. BALL
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

No. 15

1931

BILL

An Act respecting the Town of Penetanguishene.

Preamble.

WHEREAS the corporation of the town of Penetanguishene has by its petition represented that it is desirable that its by-law number 739 passed with the assent of the electors of the said town qualified to vote on money by-laws and an agreement bearing date the 31st day of March, 1930, between the said corporation and The Dominion Stove and Foundry Company, Limited, authorizing a loan by the said corporation of \$50,000 to the said company and the issue of debentures by the said corporation for such purpose be confirmed; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Town of Penetanguishene Act, 1931*.

By-law and agreement confirmed.

2. Subject to the provisions of this Act, by-law number 739 of the corporation of the town of Penetanguishene, and the agreement dated 31st day of March, 1930, between the said corporation and The Dominion Stove and Foundry Company, Limited, which agreement is set forth in schedule "A" hereto, are hereby ratified and confirmed and declared to be legal, valid and binding upon the said corporation and the rate-payers thereof, and upon the said company, its successors and assigns.

Title to land and stock.

3. The said corporation shall retain title to the lands occupied by the buildings of the said company and shall retain \$25,000 of capital stock of the said company which it now holds, and all its rights thereunder, until the expiration of the term of the said agreement and of the debentures issued or to be issued under the said by-law.

Debentures confirmed.

4. The debentures issued or to be issued under the provisions of the said by-law are hereby ratified and confirmed and

declared to be legal, valid and binding upon the said corporation and the ratepayers thereof.

5. This Act shall come into force on the day upon which ^{Commence-}
it receives the Royal Assent. _{ment of Act.}

SCHEDULE "A"

Memorandum of Agreement made this 31st day of March, A.D. 1930.

BETWEEN:

THE MUNICIPAL CORPORATION OF THE TOWN OF PENETANGUISHENE, hereinafter called the Corporation,

of the first part;

—and—

THE DOMINION STOVE AND FOUNDRY COMPANY, LIMITED,
hereinafter called the Company,

of the second part.

Whereas the Corporation is the owner in fee simple of Lots 110, 111, 112 and 113, West of Fox Street in the said Town, Plan No. 70, upon which are erected the buildings of the Company;

And whereas the Corporation under authority of its By-laws has made advances to the Company for erection of its buildings and the Debentures of the Corporation issued to make such advances are not yet fully matured;

And whereas a very considerable portion of the works of the Company were destroyed by a fire which occurred on March 7th, 1930;

And whereas the Company's business, prior to the said fire, had increased to such an extent as to make it necessary to build and equip further buildings for the carrying on of its business.

And whereas the said Company gives employment to a large number of citizens of this Corporation;

And whereas the Corporation, for the protection of its interest in the Company and that the Company may continue to provide such employment, desires that the said works of the Company should be restored and that such new buildings and equipment as required should be procured, and is willing to make further advances for the said purposes to the Company upon such security and upon such terms and conditions as hereinafter set forth;

And whereas the value of the buildings and fixed assets of the Company is the sum of \$360,000.00;

Now, This Indenture Witnesseth that in consideration of the premises and the stipulations and covenants herein on the part of the said parties severally contained, the said parties hereby covenant, promise and agree each with the other of them, as follows:

(1) The Corporation shall advance and pay over to the Company such amount as may be required for erection and equipment of such buildings as are necessary, but the total amount so advanced shall not exceed the sum of \$50,000, and shall be used for the said purposes and for no other purpose.

(2) The Company agrees to repay to the Corporation the amount of the said loan, together with interest, in annual instalments at the same time and as nearly as may be in the same manner and at the same rate of interest as the moneys secured by the Debentures issued by the Corporation to secure the funds necessary to pay the said loan to the Company, are payable.

(3) The Company, as security to the Corporation for the payment to the Corporation of the said sums, shall execute and deliver to the Corporation a first mortgage upon all the buildings and fixed assets of the Company, or bonds secured by all the said buildings and fixed assets of the Company.

(4) The Company agrees to insure and keep insured during the term of this Agreement its said buildings, at their proper insurable value, with loss payable to the Corporation as its interest may appear.

(5) The Debentures to be issued by the Corporation shall run for a period of ten years and shall bear interest at a rate not greater than $5\frac{1}{2}\%$ and shall be repayable in equal instalments of principal and interest.

(6) The Company agrees to maintain and operate and keep in repair its buildings during the said term of the said debentures and until the said loan shall be fully repaid.

(7) The title to the said lands shall remain in the name of the Corporation, and the Deed of the same shall not be given to the Company, until the said term of this agreement shall have matured, but when the said loan and former advances as above mentioned shall be fully repaid, the Company shall be entitled to and shall be given a Deed of the said lands free of all encumbrance.

(8) The Capital Stock to the amount of \$25,000 which the Corporation now holds, issued to the Corporation under Agreement with the Company confirmed by By-law No. 435 of the Corporation, shall not be re-assigned to the Company until the expiration of the term created under this Agreement, and all the rights of the Corporation in connection with the said stock as set forth in the said Agreement are hereby preserved, and shall remain in full force and effect during the said term.

(9) The Corporation by its Council, as soon as possible, shall submit to the electors of the Municipality, under the provisions of *The Municipal Act*, a by-law authorizing the said loan and the issue of the debentures to pay for same.

(10) In case the said by-law is assented to by the electors, the Corporation by its Council shall pass the said by-law, and in case the said by-law, on submission shall not receive the assent of the electors as provided by *The Municipal Act*, then this agreement and the said by-law shall be null and void and of no effect.

(11) The Corporation agrees to apply to the Legislature for a Special Act authorizing and confirming the said By-law and Agreement.

(12) The Company agrees to pay charges for the preparation of this agreement and the said by-law and for the preparation of debentures, brokerage charges, cost of submission of by-law, cost of special Act validating same and other necessary expenditures incidental thereto.

(13) All of the proceeds of the debentures issued by the Corporation to provide for this said loan shall be paid to the Company, but if the debentures shall be sold for less than par value, only the proceeds of same shall be so paid over, and no further amount.

In witness whereof the Parties hereto have hereunto affixed their respective Corporate Seals and the hands of their respective proper officers.

SIGNED, SEALED AND DELIVERED
In the presence of:

(Signed) J. B. JENNINGS,
(Corporate Seal) *Mayor.*

(Signed) W. H. HEWSON,
Clerk.

(Signed) S. M. MARSHALL,
(Corporate Seal) *President.*

(Signed) C. P. GRADY,
Secretary.

BILL

An Act respecting the Town of
Penetanguishene.

1st Reading

February 25th, 1931

2nd Reading

March 4th, 1931

3rd Reading

March 13th, 1931

MR. SIMPSON

No. 16

2ND SESSION, 18TH LEGISLATURE, ONTARIO
21 GEORGE V, 1931

BILL

An Act respecting the Township of Etobicoke.

MR. GODFREY

(PRIVATE BILL)

TORONTO
PRINTED BY HERBERT H. BALL
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

No. 16

1931

BILL

An Act respecting the Township of Etobicoke.

Preamble.

WHEREAS the corporation of the township of Etobicoke has by its petition prayed for special legislation in regard to the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Township of Etobicoke Act, 1931*.

By-law
No. 3666
and
debentures
confirmed.

2. By-law number 3666 of the corporation of the township of Etobicoke passed on the 17th day of November, 1930, to authorize the borrowing of \$51,375 upon debentures to pay the cost of widening the Lakeshore Road and all debentures issued or to be issued thereunder are hereby confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof.

By-law
No. 3667
and
debentures
confirmed.

3. By-law number 3667 of the said corporation passed on the 17th day of November, 1930, authorizing the borrowing of \$50,000 upon debentures to pay the corporation's portion of the cost of the erection of a bridge on Dundas Street over the Humber River between the township of Etobicoke and the township of York and all debentures issued or to be issued thereunder, are hereby confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof.

By-law
No. 3668
and
debentures
confirmed.

4. By-law number 3668 of the said corporation passed on the 17th day of November, 1930, authorizing the borrowing of \$8,500 upon debentures to pay the cost of the erection of a retaining wall on Lake Promenade in the said township and all debentures issued or to be issued thereunder are hereby confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof.

Creation of
fire areas.

1923,
c. 62, s. 2.

5.—(1) Any defined section or area in the township of Etobicoke heretofore designated by the council as a defined section or area pursuant to the provisions of section 2 of *The Township of Etobicoke Act, 1923*, and every section or area which may hereafter be designated and every enlargement and extension thereof pursuant to the provisions of the said section of said Act shall be a fire area for the benefit whereof fire protection may be provided, and the annual cost of providing fire protection and of fighting fires in any such area shall be raised in each succeeding year by a special rate sufficient therefor over and above all other rates on all the rateable property in such section or area according to the last revised assessment roll of the said township.

(2) The council of the said corporation may by by-law declare one water area and part of another or parts of others or parts of two water areas or two or more water areas to form one fire area, and may repeal any such by-law.

Tax sales
and deeds
confirmed.

6.—(1) All sales of land within the township of Etobicoke made prior to the 31st day of December, 1929, which purport to have been made by the said corporation or its treasurer for arrears of taxes in respect to the lands so sold are hereby validated and confirmed and all conveyances of lands so sold executed by the reeve, treasurer and clerk of the said township purporting to convey the said lands so sold to the purchaser thereof or his heirs or assigns or to the said corporation, shall have the effect of vesting the lands so sold in the purchaser or his heirs or assigns and his or their heirs and assigns or in the said corporation and its successors and assigns, as the case may be, in fee simple and clear of and free from all right, title and interest whatsoever of the owners thereof at the time of said sale, or their assigns, and all charges and incumbrances thereon and dower therein, except taxes accruing after those for non-payment of which the lands were sold.

Pending
litigation.

(2) Nothing in this section contained shall affect or prejudice the rights of any persons under pending litigation.

By-laws to
prescribe
building
line.

7.—(1) By-laws may be passed by the council of the said corporation for prescribing the distance from the line of the highway in front of it within which no building may be erected or placed, and it shall not be necessary that the distance shall be the same on all parts of the same highway.

(2) A by-law shall not be passed under this section except by a vote of two-thirds of all the members of the council.

Electors to
vote on
annexation.
Rev. Stat.,
c. 233.

8. Notwithstanding the provisions of *The Municipal Act* or any other Act, no part of the township of Etobicoke shall

be annexed to any adjoining municipality nor be incorporated as a municipality separate and apart from the township of Etobicoke without the assent of the electors of the said township entitled to vote on money by-laws obtained on the submission of a question for that purpose in conformity with *The Municipal Act*.

Commence-
ment of Act.

9. The provisions of this Act other than section 6 shall come into force on the day upon which it receives the Royal Assent. Section 6 shall come into force on the 1st day of July, 1931.

BILL

An Act respecting the Township
of Etobicoke.

1st Reading

2nd Reading

3rd Reading

MR. GODFREY

(*Private Bill*)

No. 16

2ND SESSION, 18TH LEGISLATURE, ONTARIO
21 GEORGE V, 1931

BILL

An Act respecting the Township of Etobicoke.

MR. GODFREY

TORONTO
PRINTED BY HERBERT H. BALL
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

No. 16

1931

BILL

An Act respecting the Township of Etobicoke.

Preamble.

WHEREAS the corporation of the township of Etobicoke has by its petition prayed for special legislation in regard to the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Township of Etobicoke Act, 1931*.

By-law
No. 3666
and
debentures
confirmed.

2. By-law number 3666 of the corporation of the township of Etobicoke passed on the 17th day of November, 1930, to authorize the borrowing of \$51,375 upon debentures to pay the cost of widening the Lakeshore Road and all debentures issued or to be issued thereunder are hereby confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof.

By-law
No. 3667
and
debentures
confirmed.

3. By-law number 3667 of the said corporation passed on the 17th day of November, 1930, authorizing the borrowing of \$50,000 upon debentures to pay the corporation's portion of the cost of the erection of a bridge on Dundas Street over the Humber River between the township of Etobicoke and the township of York and all debentures issued or to be issued thereunder, are hereby confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof.

By-law
No. 3668
and
debentures
confirmed.

4. By-law number 3668 of the said corporation passed on the 17th day of November, 1930, authorizing the borrowing of \$8,500 upon debentures to pay the cost of the erection of a retaining wall on Lake Promenade in the said township and all debentures issued or to be issued thereunder are hereby confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof.

5.—(1) Any defined section or area in the township of Etobicoke heretofore designated by the council as a defined section or area pursuant to the provisions of section 2 of *The Township of Etobicoke Act, 1923*, and every section or area which may hereafter be designated and every enlargement and extension thereof pursuant to the provisions of the said section of said Act shall be a fire area for the benefit whereof fire protection may be provided, and the annual cost of providing fire protection and of fighting fires in any such area shall be raised in each succeeding year by a special rate sufficient therefor over and above all other rates on all the rateable property in such section or area according to the last revised assessment roll of the said township.

Creation of
fire areas.

1923,
c. 62, s. 2.

(2) The council of the said corporation may by by-law declare one water area and part of another or parts of others or parts of two water areas or two or more water areas to form one fire area, and may repeal any such by-law.

6.—(1) All sales of land within the township of Etobicoke made prior to the 31st day of December, 1929, which purport to have been made by the said corporation or its treasurer for arrears of taxes in respect to the lands so sold are hereby validated and confirmed and all conveyances of lands so sold executed by the reeve, treasurer and clerk of the said township purporting to convey the said lands so sold to the purchaser thereof or his heirs or assigns or to the said corporation, shall have the effect of vesting the lands so sold in the purchaser or his heirs or assigns and his or their heirs and assigns or in the said corporation and its successors and assigns, as the case may be, in fee simple and clear of and free from all right, title and interest whatsoever of the owners thereof at the time of said sale, or their assigns, and all charges and incumbrances thereon and dower therein, except taxes accruing after those for non-payment of which the lands were sold.

Tax sales
and deeds
confirmed.

(2) Nothing in this section contained shall affect or prejudice the rights of any person under any action, litigation or other proceedings now pending, but the same may be proceeded with and finally adjudicated upon in the same manner and as fully and effectually as if this Act had not been passed.

Pending
litigation
not
affected.

7.—(1) By-laws may be passed by the council of the said corporation for prescribing the distance from the line of the highway in front of it within which no building may be erected or placed, and it shall not be necessary that the distance shall be the same on all parts of the same highway.

By-laws to
prescribe
building
line.

(2) A by-law shall not be passed under this section except by a vote of two-thirds of all the members of the council,

and no by-law passed under this section shall come into force without the approval of the Ontario Railway and Municipal Board.

Electors to
vote on
annexation.
Rev. Stat.,
c. 233.

8.—(1) Notwithstanding the provisions of *The Municipal Act* or any other Act, no part of the township of Etobicoke shall be annexed to any adjoining municipality nor be incorporated as a municipality separate and apart from the township of Etobicoke without the assent of the electors of the said township entitled to vote on money by-laws obtained on the submission of a question for that purpose in conformity with *The Municipal Act*.

Provisions
of 1913, c.
124, s. 1 and
Schedule
"A" thereto
not affected.

(2) Nothing in this section contained shall apply to or affect the provisions of section 1 of the Act respecting the city of Toronto passed in the year 1913 and chaptered 124 or the provisions of the agreement set forth as schedule "A" to the said Act.

Commence-
ment of Act.

9. The provisions of this Act other than section 6 shall come into force on the day upon which it receives the Royal Assent. Section 6 shall come into force on the 1st day of July, 1931.

BILL

An Act respecting the Township
of Etobicoke.

1st Reading

February 17th, 1931

2nd Reading

March 11th, 1931

3rd Reading

March 16th, 1931

MR. GODFREY

No. 17

2ND SESSION, 18TH LEGISLATURE, ONTARIO

21 GEORGE V, 1931

BILL

An Act respecting The Association of Accountants and
Auditors in Ontario.

MR. VAUGHAN

(PRIVATE BILL)

TORONTO
PRINTED BY HERBERT H. BALL
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

BILL

An Act respecting The Association of Accountants and Auditors in Ontario.

Preamble.

WHEREAS The Association of Accountants and Auditors in Ontario has by its petition prayed for special legislation amending *The Association of Accountants and Auditors Act, 1926*, so that its members may be designated as certified public accountants; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Association of Accountants and Auditors Act, 1931*.

1926, c. 124,
s. 12, subs. 1,
amended.

Designation
of members
of
Association.

2. Subsection 1 of section 12 of *The Association of Accountants and Auditors Act, 1926*, is amended by striking out the words "Licentiate in Accountancy" and the initials "L.A.," wherever they occur in the said subsection and inserting in lieu thereof respectively the words "Certified Public Accountant," and the initials "C.P.A."

Commence-
ment of Act.

3. This Act shall come into force on the day upon which it receives the Royal Assent.

BILL

An Act respecting The Association of
Accountants and Auditors
in Ontario.

1st Reading

2nd Reading

3rd Reading

MR. VAUGHAN

(*Private Bill*)

No. 17

2ND SESSION, 18TH LEGISLATURE, ONTARIO

21 GEORGE V, 1931

BILL

An Act respecting The Association of Accountants and
Auditors in Ontario.

MR. VAUGHAN

TORONTO

PRINTED BY HERBERT H. BALL

PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

BILL

An Act respecting The Association of Accountants and Auditors in Ontario.

Preamble.

WHEREAS The Association of Accountants and Auditors in Ontario has by its petition prayed for special legislation amending *The Association of Accountants and Auditors Act, 1926*, so that its members may be designated as incorporated public accountants; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Association of Accountants and Auditors Act, 1931*.

1926, c. 124,
s. 12, subs. 1,
amended.
Designation
of members
of
Association.

2. Subsection 1 of section 12 of *The Association of Accountants and Auditors Act, 1926*, is amended by striking out the words "Licentiate in Accountancy" and the initials "L.A.," wherever they occur in the said subsection and inserting in lieu thereof respectively the words "Incorporated Public Accountant," and the initials "I.P.A."

Commence-
ment of Act.

3. This Act shall come into force on the day upon which it receives the Royal Assent.

BILL

An Act respecting The Association of
Accountants and Auditors
in Ontario.

1st Reading

February 25th, 1931

2nd Reading

March 13th, 1931

3rd Reading

March 25th, 1931

MR. VAUGHAN

2ND SESSION, 18TH LEGISLATURE, ONTARIO
21 GEORGE V, 1931

BILL

An Act respecting the City of Sudbury.

MR. AUBIN

(PRIVATE BILL)

BILL

An Act respecting the City of Sudbury.

Preamble.

WHEREAS the corporation of the city of Sudbury has by its petition represented that it is desirable that certain by-laws, specified in schedule "A" hereto, and the debentures issued or to be issued thereunder, should be validated and confirmed; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The City of Sudbury Act, 1931*.

Confirma-
tion of
by-laws and
debentures.

2. The by-laws of the corporation of the city of Sudbury specified in schedule "A" hereto and all debentures issued or to be issued thereunder are confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof.

Commence-
ment of Act.

3. This Act shall come into force on the day upon which it receives the Royal Assent.

Schedule "A"

No. of By-law	Date of Passing By-law	Nature of Work under By-law	Amount of Debt Created	Amount payable by City	Amount payable by Ratepayers	Period of Payment	Rate of Interest
1313	Dec. 22nd, 1930	A By-law to provide for borrowing \$50,000.00 upon debentures for the purpose of paying for extensions and improvements of the water-works system of the City of Sudbury.....	\$50,000.00	\$50,000.00	.....	20 Years	5%
1314	Dec. 22nd, 1930	A By-law to provide for borrowing \$60,000.00 upon debentures for the purpose of paying for the construction of extensions to the electric light system of the City of Sudbury.....	\$60,000.00	\$60,000.00	.....	20 Years	5%
1322	Jan. 27th, 1931	A By-law to provide for borrowing \$1,724.00 upon debentures to pay for the construction of the Wrought Iron Watermains as therein set forth.....	\$1,724.00	.....	\$1,724.00	10 Years	5%
1323	Jan. 27th, 1931	A By-law to provide for borrowing \$10,000.00 upon debentures to pay for the construction of the Bitulithic Pavement as therein set forth	\$10,000.00	\$5,292.55	\$4,707.45	10 Years	5%
1324	Jan. 27th, 1931	A By-law to provide for borrowing \$31,120.00 upon debentures to pay for the construction of the Concrete Walks as therein set forth.....	\$31,120.00	\$5,550.20	\$25,569.80	10 Years	5%
1325	Jan. 27th, 1931	A By-law to provide for borrowing \$109,475.00 upon debentures to pay for the construction of the Bitulithic Pavements as therein set forth	\$109,475.00	\$44,324.65	\$65,150.35	20 Years	5%

Schedule "A"—Continued

No. of By-law	Date of Passing By-law	Nature of Work under By-law	Amount of Debt Created	Amount payable by City	Amount payable by Ratepayers	Period of Payment	Rate of Interest
1326	Jan. 27th, 1931	A By-law to provide for borrowing \$72,600.00 upon debentures to pay for the construction of the Cast Iron Watermains as therein set forth	\$72,600.00	\$22,405.53	\$50,194.47	20 Years	5%
1327	Jan. 27th, 1931	A By-law to provide for borrowing \$84,300.00 upon debentures to pay for the construction of the Storm Sewers as therein set forth	\$84,300.00	\$23,101.76	\$61,198.24	20 Years	5%
1328	Jan. 27th, 1931	A By-law to provide for borrowing \$335,100.00 upon debentures to pay for the construction of the Sanitary Sewers as therein set forth	\$335,100.00	\$59,498.99	\$275,601.01	20 Years	5%

BILL

An Act respecting the City of Sudbury.

1st Reading

2nd Reading

3rd Reading

MR. AUBIN

(*Private Bill*)

No. 18

2ND SESSION, 18TH LEGISLATURE, ONTARIO
21 GEORGE V, 1931

BILL

An Act respecting the City of Sudbury.

MR. AUBIN

TORONTO
PRINTED BY HERBERT H. BALL
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

BILL

An Act respecting the City of Sudbury.

Preamble.

WHEREAS the corporation of the city of Sudbury has by its petition represented that it is desirable that certain by-laws, specified in schedule "A" hereto, and the debentures issued or to be issued thereunder, should be validated and confirmed; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The City of Sudbury Act, 1931*.

Confirmation of by-laws and debentures.

2. The by-laws of the corporation of the city of Sudbury specified in schedule "A" hereto and all debentures issued or to be issued thereunder are confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof.

Commencement of Act.

3. This Act shall come into force on the day upon which it receives the Royal Assent.

SCHEDULE "A"

No. of By-law	Date of Passing By-law	Nature of Work under By-law	Amount of Debt Created	Amount payable by City	Amount payable by Ratepayers	Period of Payment	Rate of Interest
1313	Dec. 22nd, 1930	A By-law to provide for borrowing \$50,000.00 upon debentures for the purpose of paying for extensions and improvements of the water-works system of the City of Sudbury.....	\$50,000.00	\$50,000.00	.....	20 Years	5%
1314	Dec. 22nd, 1930	A By-law to provide for borrowing \$60,000.00 upon debentures for the purpose of paying for the construction of extensions to the electric light system of the City of Sudbury.....	\$60,000.00	\$60,000.00	.....	20 Years	5%
1322	Jan. 27th, 1931	A By-law to provide for borrowing \$1,724.00 upon debentures to pay for the construction of the Wrought Iron Watermains as therein set forth.....	\$1,724.00	.....	\$1,724.00	10 Years	5%
1323	Jan. 27th, 1931	A By-law to provide for borrowing \$10,000.00 upon debentures to pay for the construction of the Bitulithic Pavement as therein set forth	\$10,000.00	\$5,292.55	\$4,707.45	10 Years	5%
1324	Jan. 27th, 1931	A By-law to provide for borrowing \$31,120.00 upon debentures to pay for the construction of the Concrete Walks as therein set forth.....	\$31,120.00	\$5,550.20	\$25,569.80	10 Years	5%
1325	Jan. 27th, 1931	A By-law to provide for borrowing \$109,475.00 upon debentures to pay for the construction of the Bitulithic Pavements as therein set forth	\$109,475.00	\$44,324.65	\$65,150.35	20 Years	5%

SCHEDULE "A"—Continued

No. of By-law	Date of Passing By-law	Nature of Work under By-law	Amount of Debt Created	Amount payable by City	Amount payable by Ratepayers	Period of Payment	Rate of Interest
1326	Jan. 27th, 1931	A By-law to provide for borrowing \$72,600.00 upon debentures to pay for the construction of the Cast Iron Watermains as therein set forth	\$72,600.00	\$22,405.53	\$50,194.47	20 Years	5%
1327	Jan. 27th, 1931	A By-law to provide for borrowing \$84,300.00 upon debentures to pay for the construction of the Storm Sewers as therein set forth	\$84,300.00	\$23,101.76	\$61,198.24	20 Years	5%
1328	Jan. 27th, 1931	A By-law to provide for borrowing \$335,100.00 upon debentures to pay for the construction of the Sanitary Sewers as therein set forth	\$335,100.00	\$59,498.99	\$275,601.01	20 Years	5%

BILL

An Act respecting the City of Sudbury.

1st Reading

March 10th, 1931

2nd Reading

March 18th, 1931

3rd Reading

March 23rd, 1931

MR. AUBIN

No. 19

2ND SESSION, 18TH LEGISLATURE, ONTARIO

21 GEORGE V, 1931

BILL

An Act respecting the City of Hamilton.

MR. JUTTEN

(PRIVATE BILL)

TORONTO

PRINTED BY HERBERT H. BALL

PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

No. 19

1931

BILL

An Act respecting the City of Hamilton.

Preamble.

WHEREAS the corporation of the city of Hamilton has by petition prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The City of Hamilton Act, 1931*.

Establish-
ment of
Playgrounds
Commission.

2.—(1) The council of the corporation of the city of Hamilton may by by-law establish a commission, to be known as "Hamilton Playgrounds Commission" for the general management and control of playgrounds within the city, such commission to be composed of the mayor and of twelve other persons, three of whom shall be members of the council, and the other nine of whom shall be ratepayers of the said corporation, but not members of the council, and all of them, other than the mayor, shall be appointed by the council.

Composition
powers,
duties, etc.,
of Commis-
sion to be
fixed by
by-law.

(2) The council may from time to time pass by-laws granting aid to said commission and defining the powers and duties of the said commission and members thereof, and may vary the composition of the said commission, and may provide for the tenure of office, vacancies and manner of appointments of the members of the commission, other than the mayor, but the powers of the board of park management of the said city shall not be curtailed by the provisions of this Act or of any such by-law.

No remun-
eration.

(3) The members of the commission shall serve without compensation.

Title to
lands, etc.

(4) All lands, rights and privileges acquired by the commission shall be taken in the name of and be vested in the

said corporation, and the council of the said corporation shall have power to sell or otherwise dispose of such lands, rights and privileges.

Assumption,
control and
management
of airport.

3. The council of the said corporation may assume the control and management of the lands, landing grounds, runways and works acquired by it for the establishing of an air port or harbour pursuant to paragraph *b* of subsection 1 of section 2 and section 3 of *The City of Hamilton Act, 1929* (chapter 103), and may maintain and operate such air port or harbour or may entrust such control and management to a commission appointed by the council, and may make annual grants towards the maintenance and operation of such air port or harbour, and may from time to time lease, sell or otherwise dispose of the same as the council may determine, and the said council is hereby authorized to pass all necessary by-laws to provide for carrying out the above purposes.

Powers to
grant gas
franchises.

4.—(1) Notwithstanding the provisions of subsection 4 of section 271 of *The Municipal Act*, the council of the said corporation may submit a by-law or by-laws to obtain the opinion of the electors of the said city respecting the granting of a franchise to, or amending any existing by-law or by-laws, granting a franchise or franchises to The United Gas and Fuel Company of Hamilton Limited, The Dominion Natural Gas Company Limited, or The Manufacturers Natural Gas Company Limited, or any other company, to supply natural, manufactured or mixed gas within the said city and any territory hereafter annexed thereto, at any time other than the day fixed for taking the poll at an annual municipal election, as provided in said subsection 4 of section 271 of *The Municipal Act*, and the said council may by any such by-law grant an exclusive franchise to supply gas within the city or any portion or portions thereof, and may fix the rates to be charged for gas supplied, and any such by-law when assented to by the electors and finally passed by the council, is declared to be legal, valid and binding on the said corporation and the company or companies to which by such by-law the franchise is granted its or their successors and assigns, and the provisions of said subsection 4 of section 271 of *The Municipal Act*, and of *The Natural Gas Conservation Act*, shall not apply to any such by-law.

Rev. Stat.,
c. 233 and
c. 47.

Power to
grant gas
franchise to
United Gas,
etc., Co., and
to grant gas
main rights
to Manufac-
turers
Natural
Gas Co.

(2) The said council is hereby authorized,—

- (a) to pass a by-law granting to The United Gas and Fuel Company of Hamilton Limited an exclusive franchise to supply gas in the said city for a period of ten years subject to any rights now held by The Dominion Natural Gas Company Limited, and

The Manufacturers Natural Gas Company Limited, on condition that The United Gas and Fuel Company of Hamilton Limited supply the citizens with gas at a price not exceeding 75 cents per thousand cubic feet for said period of ten years, and

- (b) to pass a by-law granting to The Manufacturers Natural Gas Company Limited the right to lay a gas main from the premises of The Steel Company of Canada to the limits of the said city near Fennel Avenue, without submitting the said by-laws or either of them to the electors for their assent, and any such by-law when finally passed by the council is hereby declared to be legal, valid and binding on the said corporation and the company or companies to which by such by-law any franchise or right is granted, its or their successors and assigns.

Tax Sales
and Con-
veyances
confirmed.

5.—(1) All sales of land within the said city made prior to the 31st day of December, 1929, which purport to have been made by the said corporation or its treasurer for arrears of taxes in respect to the land so sold, are hereby validated and confirmed, and all conveyances of land so sold executed by the mayor, treasurer and clerk of the said corporation purporting to convey the said lands so sold, to the purchaser thereof or his heirs or assigns, or to the said corporation, shall have the effect of vesting the lands so sold in the purchaser or his heirs or assigns and his or their heirs and assigns or in the said corporation and its successors and assigns, as the case may be, in fee simple and clear of and free from all right, title and interest whatsoever of the owners thereof at the time of said sale, or their assigns, and all charges and encumbrances thereon and dower therein, except taxes accruing after those for non-payment of which the lands were sold.

Pending
litigation.

(2) Nothing in this section contained shall affect or prejudice the rights of any person under pending litigation.

Power to
borrow
\$365,663 for
certain pur-
poses, with-
out assent
of electors.

6. The said council, may without submitting the same to the electors qualified to vote on money by-laws, pass a by-law or by-laws, for borrowing the sum of \$365,663 or any portion thereof, by the issue and sale of debentures, for the following purposes and objects, namely:

- (a) For acquiring land and erecting a building as quarters for Hamilton Relief Department on Victoria Avenue, north of Barton Street, and buying equipment therefor, the sum of \$19,000
- (b) For additional cost in connection with the erection of the Swimming Pool at Scott Park Stadium, the sum of 16,000

- (c) For improvements to the Hamilton General Hospital and the equipment thereof, the sum of..... \$45,663
- (d) For the construction of a roadway, including bridge and approaches thereto, from Aberdeen Avenue along Paradise Road, and thence in a northwesterly direction to Main Street, formerly known as the Hamilton and London Provincial Highway, the sum of... 100,000
- (e) For the construction of runways and other works on the property of the Airport or Harbour in the township of Saltfleet, at present operated by the International Airways of Canada Limited, the sum of..... 60,000
- (f) For acquiring the properties on Bay Front of The Canadian Steamship Lines and Dominion Power Company for park and industrial purposes, the sum of..... 125,000
- Total..... \$365,663

Debentures
payable
within
30 years.

- (2) The said debentures shall be made payable at any time or times within a period not exceeding thirty years.

Commence-
ment of Act.

7. This Act shall come into force on the day upon which it receives the Royal Assent.



BILL

An Act respecting the City of Hamilton.

1st Reading

2nd Reading

3rd Reading •

MR. JUTTEN

(Private Bill)

No. 19

2ND SESSION, 18TH LEGISLATURE, ONTARIO

21 GEORGE V, 1931

BILL

An Act respecting the City of Hamilton.

MR. JUTTEN

(PRIVATE BILL)

TORONTO

PRINTED BY HERBERT H. BALL

PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

No. 19

1931

BILL

An Act respecting the City of Hamilton.

Preamble.

WHEREAS the corporation of the city of Hamilton has by petition prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The City of Hamilton Act, 1931*.

Establish-
ment of
Playgrounds
Commission.

2.—(1) The council of the corporation of the city of Hamilton may by by-law establish a commission, to be known as "Hamilton Playgrounds Commission" for the general management and control of playgrounds within the city, such commission to be composed of the mayor and of twelve other persons, three of whom shall be members of the council, and the other nine of whom shall be ratepayers of the said corporation, but not members of the council, and all of them, other than the mayor, shall be appointed by the council.

Composition
powers,
duties, etc.,
of Commis-
sion to be
fixed by
by-law.



(2) The council may from time to time pass by-laws granting aid to said commission and defining the powers and duties of the said commission and members thereof, and may vary the composition of the said commission, and may provide for the tenure of office, vacancies and manner of appointments of the members of the commission, other than the mayor, but the powers of the board of park management of the said city shall not be curtailed by the provisions of this Act or of any such by-law.

No remun-
eration.

(3) The members of the commission shall serve without compensation.

Title to
lands, etc.


(4) All lands, rights and privileges acquired by the commission shall be taken in the name of and be vested in the

said corporation, and the council of the said corporation shall have power to sell or otherwise dispose of such lands, rights and privileges,  but this provision shall not apply to or include lands now owned by the corporation and under the control and management of the said Board of Park Management. 

Assumption,
control and
management
of airport.

3. The council of the said corporation may assume the control and management of the lands, landing grounds, runways and works acquired by it for the establishing of an air port or harbour pursuant to paragraph *b* of subsection 1 of section 2 and section 3 of *The City of Hamilton Act, 1929* (chapter 103), and may maintain and operate such air port or harbour or may entrust such control and management to a commission appointed by the council, and may make annual grants towards the maintenance and operation of such air port or harbour, and may from time to time lease, sell or otherwise dispose of the same as the council may determine, and the said council is hereby authorized to pass all necessary by-laws to provide for carrying out the above purposes.

By-law and
agreement
confirmed.

 4.—(1) By-law number 4168 of the said corporation set forth in schedule "A" hereto and the agreement dated the 24th day of March, 1931, made between the said corporation and the United Gas and Fuel Company of Hamilton, Limited, set forth in schedule "B" hereto, are and each of them is hereby confirmed and declared to be legal, valid and binding on the said corporation and the ratepayers thereof and on the said company, its successors and assigns.

United Gas
Company
to exercise
certain
powers in
its own
name.

(2) The said company shall have and may exercise all the rights conferred by clause 2 of the said agreement in the same manner and to the same extent as if such rights were specifically set forth in and granted by this Act, and all such action may be taken by the said company in its own name or in the name of the said corporation, and any action so brought or taken by the said company under the provisions of said clause 2 shall be at its own expense.

Ontario
Municipal
Board to
determine
rates.

(3) The Ontario Railway and Municipal Board shall have and may exercise the powers necessary for the determination of any application authorized to be made to it under the said agreement and its determination of any such application shall be final.

Saving
clause for
franchises
in annexed
areas.

(4) The gas franchise rights (if any) of any company which but for the provisions of this Act or the said by-law or agreement would continue to exist after annexation of any portion of an adjacent municipality to the said city shall not be prejudiced or affected by this Act or the said by-law or

agreement, but in no case shall any rights in such annexed portions continue beyond the 24th day of March, 1941, under any franchise hereafter granted.

Renewal of franchises of other companies.

(5) Nothing in this Act or in the said by-law or agreement contained shall prevent any company whose gas franchise to supply gas in the said city or any district which may hereafter be annexed to the said city shall have expired by effluxion of time prior to the 24th day of March, 1941, from applying to the said corporation for a renewal of the rights granted by such franchise, and the said corporation may grant a renewal of such franchise in whole or in part, but such renewal shall not extend beyond the said 24th day of March, 1941.

Transmission franchises for Manufacturers Gas Co. and other companies.

(6) Nothing in this Act or in the said by-law or agreement contained shall prevent the said corporation from granting to the Manufacturers Natural Gas Company, Limited, or any other company, a transmission franchise pursuant to clause *b* of section 6 of *The Municipal Franchises Act*.


Rev. Stat. c. 47, not affected.

(7) Nothing in this Act or in the said by-law or agreement contained shall in any way affect the provisions of *The Natural Gas Conservation Act*, or the powers, rights and duties vested in the Minister of Mines, the Natural Gas Referee and the Natural Gas Commissioner under the said Act.

Assent of electors not requisite.

(8) It shall not be necessary for their validity that the said by-law or agreement be assented to by the electors of the said city.

Section 1 of agreement amended.

(9) The said agreement is amended by striking out the words and figures "and 807" in the ninth line of section 1 thereof and inserting in lieu thereof the words and figures "808 and 2517" and by striking out the words and figures "by-law number 715" in the twelfth line thereof and inserting in lieu thereof the words and figures "by-laws numbers 583 and 715," and the original and counterpart copies of the said agreement executed between the parties thereto shall be amended and construed accordingly. 

Tax Sales and conveyances confirmed.

5.—(1) All sales of land within the said city made prior to the 31st day of December, 1929, which purport to have been made by the said corporation or its treasurer for arrears of taxes in respect to the land so sold, are hereby validated and confirmed, and all conveyances of land so sold executed by the mayor, treasurer and clerk of the said corporation purporting to convey the said lands so sold, to the purchaser thereof or his heirs or assigns, or to the said corporation, shall have the effect of vesting the lands so sold in the purchaser or his heirs or assigns and his or their heirs and assigns or in

the said corporation and its successors and assigns, as the case may be, in fee simple and clear of and free from all right, title and interest whatsoever of the owners thereof at the time of said sale, or their assigns, and all charges and encumbrances thereon and dower therein, except taxes accruing after those for non-payment of which the lands were sold.

Pending
litigation
not
affected.

(2) Nothing in this section contained shall affect or prejudice the rights of any person under any action, litigation or other proceedings now pending, but the same may be proceeded with and finally adjudicated upon in the same manner and as fully and effectually as if this Act had not been passed.

Power to
borrow
\$365,663 for
certain pur-
poses, with-
out assent
of electors.

6. The said council, may without submitting the same to the electors qualified to vote on money by-laws, pass a by-law or by-laws, for borrowing the sum of \$365,663 or any portion thereof, by the issue and sale of debentures, for the following purposes and objects, namely:

- | | |
|--|------------------|
| (a) For acquiring land and erecting a building as quarters for Hamilton Relief Department on Victoria Avenue, north of Barton Street, and buying equipment therefor, the sum of | \$19,000 |
| (b) For additional cost in connection with the erection of the Swimming Pool at Scott Park Stadium, the sum of | 16,000 |
| (c) For improvements to the Hamilton General Hospital and the equipment thereof, the sum of | 45,663 |
| (d) For the construction of a roadway, including bridge and approaches thereto, from Aberdeen Avenue along Paradise Road, and thence in a northwesterly direction to Main Street, formerly known as the Hamilton and London Provincial Highway, the sum of | 100,000 |
| (e) For the construction of runways and other works on the property of the Airport or Harbour in the township of Saltfleet, at present operated by the International Airways of Canada Limited, the sum of | 60,000 |
| (f) For acquiring the properties on Bay Front of The Canadian Steamship Lines and Dominion Power Company for park and industrial purposes, the sum of | 125,000 |
| Total | <u>\$365,663</u> |

Debentures
payable
within
30 years.

(2) The said debentures shall be made payable at any time or times within a period not exceeding thirty years.

Commence-
ment of Act.

7. This Act shall come into force on the day upon which it receives the Royal Assent.

SCHEDULE "A"

BY-LAW No.

To Authorize the Execution of an Agreement between the CORPORATION OF THE CITY OF HAMILTON and THE UNITED GAS & FUEL COMPANY OF HAMILTON, LIMITED.

The Municipal Council of the Corporation of the City of Hamilton enacts as follows:—

1. That the proposed agreement dated the 24th day of March, 1931, between the Corporation of the City of Hamilton, of the one part, and the United Gas & Fuel Company of Hamilton, Limited, of the other part (a true copy whereof is set out in Schedule "A" to this By-law), is hereby approved and authorized.

2. The Mayor and the Clerk of the Corporation are hereby respectively authorized and directed to execute the said agreement and the Clerk shall affix the Corporate seal thereto.

Passed this day of , 1931.

City Clerk.

Mayor.

SCHEDULE "B"

This Agreement made in triplicate this 24th day of March, 1931.

Between:

THE CORPORATION OF THE CITY OF HAMILTON (hereinafter called the "City")

of the first part;

—and—

THE UNITED GAS AND FUEL COMPANY OF HAMILTON, LTD.
(hereinafter called the "Company")

of the second part.

Whereas by By-law Number 400 respecting The Ontario Pipe Line Company Limited passed on the 26th day of September, 1904, as amended by By-law Number 443 passed on the 13th day of March, 1905, and as further amended by By-law Number 2590 passed the 29th day of November 1921, the consent, permission and authority of the Corporation of the City of Hamilton were given and granted to The United Gas and Fuel Company of Hamilton Limited, to enter upon the streets, public squares and public grounds of the City of Hamilton and to construct, maintain and operate and repair mains and pipes for the transportation and supply of natural or manufactured gas in the said City of Hamilton, for fuel, heating and lighting purposes; and the said by-laws provided that the Company should supply gas to the City Corporation and the inhabitants thereof at the prices and upon the terms and conditions contained in the said by-laws.

And whereas the City Corporation is desirous, without, however, impairing the investment of the Company, of having gas supplied to it and to its inhabitants during the next ten years at a price per thousand cubic feet of gas lower than at present charged by the Company.

And whereas in consideration of the covenants and agreements hereinafter entered into by and between the parties, the City has agreed to grant to the Company an exclusive franchise to transport, supply and sell gas in the City of Hamilton subject to the rights, if any, of the Dominion Natural Gas Company Limited and the Manufacturers Natural Gas Company Limited and the Southern Ontario Gas Company Limited.

And whereas it is expedient to amend said By-law Number 2590 as hereinafter set forth.

Now therefore this agreement witnesseth that the parties hereto have agreed as follows:—

1. The consent, permission and authority of the Corporation of the City of Hamilton are hereby given and an exclusive franchise for a period of ten years from and after the date hereof is hereby granted to The United Gas & Fuel Company of Hamilton Limited (except as to and to the extent of any existing rights and privileges that may now be held by the Dominion Natural Gas Company Limited under By-law Number 533 of the Township of Barton and the Agreement entered into pursuant to the said by-law, and by the Manufacturers Natural Gas Company Limited under By-laws Number 586 and 807 of the City of Hamilton and the respective Agreements entered into pursuant to the said by-laws, and by the Southern Ontario Gas Company Limited under By-law Number 715 of the Township of Ancaster and the Agreement entered into pursuant to said by-law) to conduct, distribute and supply and sell gas in the City of Hamilton and for such purpose to enter upon all streets, public squares and all lanes and other public places now or at any other time hereafter within the jurisdiction of the Council, to dig trenches and lay and bury therein and maintain, operate and repair mains and pipes of such size as the said Company may require for the exclusive transportation and distribution and supply and sale of gas in the City of Hamilton during the period of ten years aforesaid for fuel, heating and lighting purposes together with the right to construct, maintain and repair under the surface of such streets and public squares, lanes and public places all necessary regulators, valves, curb boxes, safety appliances and other appurtenances that may be necessary in connection with the transportation and distribution and supply of gas.

2. The City Corporation shall not during the said period of ten years grant any rights, licenses, privileges or franchises to any other company, firm or individual to conduct, distribute, supply or sell gas within the limits of the said City Corporation as from time to time existing during the said period, and if during the said period any company, firm or individual, including the Dominion Natural Gas Company Limited or the Manufacturers Natural Gas Company Limited or the Southern Ontario Gas Company Limited or any of them or any of their respective successors or assigns shall without due license, permission and authority, conduct, distribute, supply or sell gas within the said limits or shall commence to dig trenches, lay pipes, solicit contracts for the sale of gas, or otherwise prepare to conduct, distribute, supply or sell gas within the said limits, then the Company shall have the right to take such action in any court of competent jurisdiction or otherwise as it may be advised to prevent such conducting, distribution, supply or sale of gas and/or to determine or to have the question determined as to whether or not the company, firm or individual, (including the Dominion Natural Gas Company Limited or the Manufacturers Natural Gas Company Limited or the Southern Ontario Gas Company Limited, or any of them or any their respective successors or assigns) as the case may be, has due license, permission and authority to so conduct, distribute, supply or sell gas and/or has existing rights and privileges which justify it in so doing and all the rights of the City Corporation in the premises are hereby assigned to the Company and the City Corporation agrees that this Agreement shall not be effective until the Legislature of the Province of Ontario shall have enacted a statute conferring upon the Company the right to take all action contemplated by the provisions of this paragraph 2 and in accordance with the intention thereof.

3. The provisions of Section 1, Subsection 6, of By-law Number 2590, passed on the 29th day of November, 1921, shall be suspended during the said period of ten years, and it is agreed that during such period the Company may charge the City and the inhabitants thereof for ordinary household purposes up to but not in excess of Seventy-five Cents (75c.) net per thousand cubic feet, for natural gas, manufactured gas and a mixture of natural and manufactured gas, or any other kind of gas whatsoever; provided, however, that the Company or the City may at any time and from time to time apply to the Ontario Railway and Municipal Board for (and the Board shall have power to make) an order increasing or decreasing the maximum amount which may be charged by the Company to the City or the inhabitants thereof for ordinary household purposes, but so that the maximum amount which the Company may so charge shall in no event exceed Ninety Cents (90c.) net per thousand cubic feet for natural gas, manufactured gas, or a mixture of natural and manufactured gas, or any other kind of gas whatsoever.

In fixing the maximum amount which may be so charged by the Company within the limits aforesaid, the Board shall have regard to the gross revenues of the Company derived from the sale of gas, and if after deducting therefrom all proper charges (including interest on borrowed capital and provision for depreciation and income taxes, but not including in the price paid by the Company for gas purchased any amount in excess of Forty-five Cents (45c.) per thousand cubic feet) it shall appear that the Company is not earning or is earning more than a fair and reasonable return on the amount of its paid-up capital stock, then the Board shall make an Order increasing or decreasing, as the case may be, the maximum amount (within the limits aforesaid) which may be so charged for ordinary household purposes to such an amount that the revenue produced from the sale of gas for ordinary household purposes charged at such an amount when added to that produced from the sale of gas for heating houses and other buildings and for industrial or commercial purposes at the rate or amount then being received by the Company after deducting all proper charges as hereinbefore referred to, will enable the Company to earn a return on the amount of its paid up capital stock which in the opinion of the Board is fair and reasonable. In the event of an application by either the City or the Company as herein provided for, the City Auditor shall be entitled to make an audit of the books of the Company and report the result to the City Council, making special mention of any matter which may affect the interest of the City. In no event shall the company be entitled to charge for gas sold for heating houses and other buildings or for industrial or commercial purposes a greater amount than it is entitled to charge for gas sold for ordinary household purposes.

4. Provided, however, that the said Company may charge an additional Five (5) Cents per thousand cubic feet over and above the prices hereinbefore set forth, the same to be taken off by way of discount on all bills paid within 14 days from presentment of said bills. Such presentment may be effectually made by delivery of such bill at the residence of the consumer or by mailing the same to his street address.

5. Nothing herein contained shall prevent the Company from charging rates for gas sold for heating houses and other buildings and for industrial or commercial purposes rates lower than those charged for ordinary household purposes.

6. The rights and privileges granted by this Agreement shall extend until the 24th day of March, 1941, and the terms, provisions and conditions of By-law Number 400 and its amending By-laws Numbers 443 and 2590 of the Council of the Corporation of the City of Hamilton are amended so as to give full effect to the provisions and amendments herein set forth, but save as herein amended shall be and remain in full force and effect and binding on the parties hereto. This Agreement shall not affect the City's right to assume ownership of the rights and franchises of the Company pursuant to the terms of said By-law Number 400 and amendments thereto.

7. It is understood and agreed between the parties hereto that this Agreement and the provisions herein contained shall become absolutely null and void on the 24th day of March, 1941, and from thenceforth the By-law Number 400 and its amending By-laws Numbers 443 and 2590 and all agreements entered into pursuant to the said by-laws or any of them and all or any of the provisions, terms and conditions therein contained, which have in any way been suspended or amended by this Agreement, shall again become operative from such time as if this Agreement had not been entered into by the parties.

8. In the event of portions of municipalities being annexed to the City, the provisions of this By-law shall apply to the portions of the said municipalities as hereafter may from time to time be annexed to the City from the date of each additional annexation.

9. All written agreements, by-laws and statutes governing the relations between the parties hereto, and the powers of the Company, insofar as they are in force and effect, shall remain in full force and effect, except insofar as they are or may become inconsistent with or altered by or under the terms of this Agreement, and such agreements, by-laws and statutes, and this Agreement shall apply to the Company's business of transporting and supplying gas.

10. The Company agrees that it will not intentionally cease the supplying of gas to the City or consumers without giving the City at least three months' notice in writing of its intention so to do.

11. Except as hereinafter provided this Agreement shall be effective as from the time when the Legislature of the Province of Ontario at its present Session passes legislation—

(a) Conferring upon the Company the right to take all action contemplated by the provisions of Paragraph 2 hereof and in accordance with the intentions thereof;

(b) Conferring jurisdiction upon and requiring the Ontario Railway and Municipal Board to hear and deal with any application made to it under the terms of Paragraph 3 hereof;

(c) Confirming and ratifying this Agreement and the exclusive franchise hereby granted and declaring the same to be valid, legal and binding upon the parties hereto.

The parties hereto agree, effective as of the date of execution hereof, to join in applying to the said Legislature for the passing of the legislation contemplated by Sub-paragraphs (a), (b) and (c) of this Paragraph 11, and of the expense of obtaining such legislation the Company shall pay \$100.00 thereof and the City shall pay the balance thereof (if any).

This Agreement and the provisions herein contained shall enure to the benefit of and be binding upon the parties hereto, their successors and assigns.

In witness whereof the parties hereto have hereunto affixed their respective seals under the hands of their proper officers.

SIGNED, SEALED AND DELIVERED.



BILL

An Act respecting the City of Hamilton.

1st Reading

February 17th, 1931

2nd Reading

3rd Reading

MR. JUTTEN

*(Reprinted as amended by the Private
Bills Committee)*

No. 19

2ND SESSION, 18TH LEGISLATURE, ONTARIO

21 GEORGE V, 1931

BILL

An Act respecting the City of Hamilton.

MR. JUTTEN

TORONTO

PRINTED BY HERBERT H. BALL

PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

No. 19

1931

BILL

An Act respecting the City of Hamilton.

Preamble.

WHEREAS the corporation of the city of Hamilton has by petition prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The City of Hamilton Act, 1931*.

Establish-
ment of
Playgrounds
Commission.

2.—(1) The council of the corporation of the city of Hamilton may by by-law establish a commission, to be known as "Hamilton Playgrounds Commission" for the general management and control of playgrounds within the city, such commission to be composed of the mayor and of twelve other persons, three of whom shall be members of the council, and the other nine of whom shall be ratepayers of the said corporation, but not members of the council, and all of them, other than the mayor, shall be appointed by the council.

Composition,
powers,
duties, etc.,
of Commis-
sion to be
fixed by
by-law.

(2) The council may from time to time pass by-laws granting aid to said commission and defining the powers and duties of the said commission and members thereof, and may vary the composition of the said commission, and may provide for the tenure of office, vacancies and manner of appointments of the members of the commission, other than the mayor, but the powers of the board of park management of the said city shall not be curtailed by the provisions of this Act or of any such by-law.

No remun-
eration.

(3) The members of the commission shall serve without compensation.

Title to
lands, etc.

(4) All lands, rights and privileges acquired by the commission shall be taken in the name of and be vested in the

said corporation, and the council of the said corporation shall have power to sell or otherwise dispose of such lands, rights and privileges, but this provision shall not apply to or include lands now owned by the corporation and under the control and management of the said Board of Park Management.

3. The council of the said corporation may assume the control and management of the lands, landing grounds, runways and works acquired by it for the establishing of an air port or harbour pursuant to paragraph *b* of subsection 1 of section 2 and section 3 of *The City of Hamilton Act, 1929* (chapter 103), and may maintain and operate such air port or harbour or may entrust such control and management to a commission appointed by the council, and may make annual grants towards the maintenance and operation of such air port or harbour, and may from time to time lease, sell or otherwise dispose of the same as the council may determine, and the said council is hereby authorized to pass all necessary by-laws to provide for carrying out the above purposes.

Assumption,
control and
management
of airport.

4.—(1) By-law number 4168 of the said corporation set forth in schedule "A" hereto and the agreement dated the 24th day of March, 1931, made between the said corporation and the United Gas and Fuel Company of Hamilton, Limited, set forth in schedule "B" hereto, are and each of them is hereby confirmed and declared to be legal, valid and binding on the said corporation and the ratepayers thereof and on the said company, its successors and assigns.

By-law and
agreement
confirmed.

(2) The said company shall have and may exercise all the rights conferred by clause 2 of the said agreement in the same manner and to the same extent as if such rights were specifically set forth in and granted by this Act, and all such action may be taken by the said company in its own name or in the name of the said corporation, and any action so brought or taken by the said company under the provisions of said clause 2 shall be at its own expense.

United Gas
Company
to exercise
certain
powers in
its own
name.

(3) The Ontario Railway and Municipal Board shall have and may exercise the powers necessary for the determination of any application authorized to be made to it under the said agreement and its determination of any such application shall be final.

Ontario
Municipal
Board to
determine
rates.

(4) The gas franchise rights (if any) of any company which but for the provisions of this Act or the said by-law or agreement would continue to exist after annexation of any portion of an adjacent municipality to the said city shall not be prejudiced or affected by this Act or the said by-law or

Saving
clause for
franchises
in annexed
areas.

agreement, but in no case shall any rights in such annexed portions continue beyond the 24th day of March, 1941, under any franchise hereafter granted.

Renewal of
franchises
of other
companies.

(5) Nothing in this Act or in the said by-law or agreement contained shall prevent any company whose gas franchise to supply gas in the said city or any district which may hereafter be annexed to the said city shall have expired by effluxion of time prior to the 24th day of March, 1941, from applying to the said corporation for a renewal of the rights granted by such franchise, and the said corporation may grant a renewal of such franchise in whole or in part, but such renewal shall not extend beyond the said 24th day of March, 1941.

Trans-
mission
franchises
for Manu-
facturers
Gas Co. and
other
companies.

(6) Nothing in this Act or in the said by-law or agreement contained shall prevent the said corporation from granting to the Manufacturers Natural Gas Company, Limited, or any other company, a transmission franchise pursuant to clause *b* of section 6 of *The Municipal Franchises Act*.

Rev. Stat.
c. 47, not
affected.

(7) Nothing in this Act or in the said by-law or agreement contained shall in any way affect the provisions of *The Natural Gas Conservation Act*, or the powers, rights and duties vested in the Minister of Mines, the Natural Gas Referee and the Natural Gas Commissioner under the said Act.

Assent of
electors not
requisite.

(8) It shall not be necessary for their validity that the said by-law or agreement be assented to by the electors of the said city.

Section 1
of agreement
amended.

(9) The said agreement is amended by striking out the words and figures "and 807" in the ninth line of section 1 thereof and inserting in lieu thereof the words and figures "808 and 2517" and by striking out the words and figures "by-law number 715" in the twelfth line thereof and inserting in lieu thereof the words and figures "by-laws numbers 583 and 715," and the original and counterpart copies of the said agreement executed between the parties thereto shall be amended and construed accordingly.

Tax Sales
and con-
veyances
confirmed.

5.—(1) All sales of land within the said city made prior to the 31st day of December, 1929, which purport to have been made by the said corporation or its treasurer for arrears of taxes in respect to the land so sold, are hereby validated and confirmed, and all conveyances of land so sold executed by the mayor, treasurer and clerk of the said corporation purporting to convey the said lands so sold, to the purchaser thereof or his heirs or assigns, or to the said corporation, shall have the effect of vesting the lands so sold in the purchaser or his heirs or assigns and his or their heirs and assigns or in

the said corporation and its successors and assigns, as the case may be, in fee simple and clear of and free from all right, title and interest whatsoever of the owners thereof at the time of said sale, or their assigns, and all charges and encumbrances thereon and dower therein, except taxes accruing after those for non-payment of which the lands were sold.

(2) Nothing in this section contained shall affect or prejudice the rights of any person under any action, litigation or other proceedings now pending, but the same may be proceeded with and finally adjudicated upon in the same manner and as fully and effectually as if this Act had not been passed. Pending litigation not affected.

6. The said council, may without submitting the same to the electors qualified to vote on money by-laws, pass a by-law or by-laws, for borrowing the sum of \$365,663 or any portion thereof, by the issue and sale of debentures, for the following purposes and objects, namely: Power to borrow \$365,663 for certain purposes, without assent of electors.

- (a) For acquiring land and erecting a building as quarters for Hamilton Relief Department on Victoria Avenue, north of Barton Street, and buying equipment therefor, the sum of \$19,000
- (b) For additional cost in connection with the erection of the Swimming Pool at Scott Park Stadium, the sum of 16,000
- (c) For improvements to the Hamilton General Hospital and the equipment thereof, the sum of 45,663
- (d) For the construction of a roadway, including bridge and approaches thereto, from Aberdeen Avenue along Paradise Road, and thence in a northwesterly direction to Main Street, formerly known as the Hamilton and London Provincial Highway, the sum of . . . 100,000
- (e) For the construction of runways and other works on the property of the Airport or Harbour in the township of Saltfleet, at present operated by the International Airways of Canada Limited, the sum of 60,000
- (f) For acquiring the properties on Bay Front of The Canadian Steamship Lines and Dominion Power Company for park and industrial purposes, the sum of 125,000

Total \$365,663

Debentures payable within 30 years. (2) The said debentures shall be made payable at any time or times within a period not exceeding thirty years.

Commencement of Act. 7. This Act shall come into force on the day upon which it receives the Royal Assent.

SCHEDULE "A"

BY-LAW No.

To Authorize the Execution of an Agreement between the CORPORATION OF THE CITY OF HAMILTON and THE UNITED GAS & FUEL COMPANY OF HAMILTON, LIMITED.

The Municipal Council of the Corporation of the City of Hamilton enacts as follows:—

1. That the proposed agreement dated the 24th day of March, 1931, between the Corporation of the City of Hamilton, of the one part, and the United Gas & Fuel Company of Hamilton, Limited, of the other part (a true copy whereof is set out in Schedule "A" to this By-law), is hereby approved and authorized.

2. The Mayor and the Clerk of the Corporation are hereby respectively authorized and directed to execute the said agreement and the Clerk shall affix the Corporate seal thereto.

Passed this day of , 1931.

City Clerk.

Mayor.

SCHEDULE "B"

This Agreement made in triplicate this 24th day of March, 1931.

Between:

THE CORPORATION OF THE CITY OF HAMILTON (hereinafter called the "City")

of the first part;

—and—

THE UNITED GAS AND FUEL COMPANY OF HAMILTON, LTD. (hereinafter called the "Company")

of the second part.

Whereas by By-law Number 400 respecting The Ontario Pipe Line Company Limited passed on the 26th day of September, 1904, as amended by By-law Number 443 passed on the 13th day of March, 1905, and as further amended by By-law Number 2590 passed the 29th day of November 1921, the consent, permission and authority of the Corporation of the City of Hamilton were given and granted to The United Gas and Fuel Company of Hamilton Limited, to enter upon the streets, public squares and public grounds of the City of Hamilton and to construct, maintain and operate and repair mains and pipes for the transportation and supply of natural or manufactured gas in the said City of Hamilton, for fuel, heating and lighting purposes; and the said by-laws provided that the Company should supply gas to the City Corporation and the inhabitants thereof at the prices and upon the terms and conditions contained in the said by-laws.

And whereas the City Corporation is desirous, without, however, impairing the investment of the Company, of having gas supplied to it and to its inhabitants during the next ten years at a price per thousand cubic feet of gas lower than at present charged by the Company.

And whereas in consideration of the covenants and agreements herein-after entered into by and between the parties, the City has agreed to grant to the Company an exclusive franchise to transport, supply and sell gas in the City of Hamilton subject to the rights, if any, of the Dominion Natural Gas Company Limited and the Manufacturers Natural Gas Company Limited and the Southern Ontario Gas Company Limited.

And whereas it is expedient to amend said By-law Number 2590 as hereinafter set forth.

Now therefore this agreement witnesseth that the parties hereto have agreed as follows:—

1. The consent, permission and authority of the Corporation of the City of Hamilton are hereby given and an exclusive franchise for a period of ten years from and after the date hereof is hereby granted to The United Gas & Fuel Company of Hamilton Limited (except as to and to the extent of any existing rights and privileges that may now be held by the Dominion Natural Gas Company Limited under By-law Number 533 of the Township of Barton and the Agreement entered into pursuant to the said by-law, and by the Manufacturers Natural Gas Company Limited under By-laws Number 586 and 807 of the City of Hamilton and the respective Agreements entered into pursuant to the said by-laws, and by the Southern Ontario Gas Company Limited under By-law Number 715 of the Township of Ancaster and the Agreement entered into pursuant to said by-law) to conduct, distribute and supply and sell gas in the City of Hamilton and for such purpose to enter upon all streets, public squares and all lanes and other public places now or at any other time hereafter within the jurisdiction of the Council, to dig trenches and lay and bury therein and maintain, operate and repair mains and pipes of such size as the said Company may require for the exclusive transportation and distribution and supply and sale of gas in the City of Hamilton during the period of ten years aforesaid for fuel, heating and lighting purposes together with the right to construct, maintain and repair under the surface of such streets and public squares, lanes and public places all necessary regulators, valves, curb boxes, safety appliances and other appurtenances that may be necessary in connection with the transportation and distribution and supply of gas.

2. The City Corporation shall not during the said period of ten years grant any rights, licenses, privileges or franchises to any other company, firm or individual to conduct, distribute, supply or sell gas within the limits of the said City Corporation as from time to time existing during the said period, and if during the said period any company, firm or individual, including the Dominion Natural Gas Company Limited or the Manufacturers Natural Gas Company Limited or the Southern Ontario Gas Company Limited or any of them or any of their respective successors or assigns shall without due license, permission and authority, conduct, distribute, supply or sell gas within the said limits or shall commence to dig trenches, lay pipes, solicit contracts for the sale of gas, or otherwise prepare to conduct, distribute, supply or sell gas within the said limits, then the Company shall have the right to take such action in any court of competent jurisdiction or otherwise as it may be advised to prevent such conducting, distribution, supply or sale of gas and/or to determine or to have the question determined as to whether or not the company, firm or individual, (including the Dominion Natural Gas Company Limited or the Manufacturers Natural Gas Company Limited or the Southern Ontario Gas Company Limited, or any of them or any their respective successors or assigns) as the case may be, has due license, permission and authority to so conduct, distribute, supply or sell gas and/or has existing rights and privileges which justify it in so doing and all the rights of the City Corporation in the premises are hereby assigned to the Company and the City Corporation agrees that this Agreement shall not be effective until the Legislature of the Province of Ontario shall have enacted a statute conferring upon the Company the right to take all action contemplated by the provisions of this paragraph 2 and in accordance with the intention thereof.

3. The provisions of Section 1, Subsection 6. of By-law Number 2590, passed on the 29th day of November, 1921, shall be suspended during the said period of ten years, and it is agreed that during such period the Company may charge the City and the inhabitants thereof for ordinary household purposes up to but not in excess of Seventy-five Cents (75c.) net per thousand cubic feet, for natural gas, manufactured gas and a mixture of natural and manufactured gas, or any other kind of gas whatsoever; provided, however, that the Company or the City may at any time and from time to time apply to the Ontario Railway and Municipal Board for (and the Board shall have power to make) an order increasing or decreasing the maximum amount which may be charged by the Company to the City or the inhabitants thereof for ordinary household purposes, but so that the maximum amount which the Company may so charge shall in no event exceed Ninety Cents (90c.) net per thousand cubic feet for natural gas, manufactured gas, or a mixture of natural and manufactured gas, or any other kind of gas whatsoever.

In fixing the maximum amount which may be so charged by the Company within the limits aforesaid, the Board shall have regard to the gross revenues of the Company derived from the sale of gas, and if after deducting therefrom all proper charges (including interest on borrowed capital and provision for depreciation and income taxes, but not including in the price paid by the Company for gas purchased any amount in excess of Forty-five Cents (45c.) per thousand cubic feet) it shall appear that the Company is not earning or is earning more than a fair and reasonable return on the amount of its paid-up capital stock, then the Board shall make an Order increasing or decreasing, as the case may be, the maximum amount (within the limits aforesaid) which may be so charged for ordinary household purposes to such an amount that the revenue produced from the sale of gas for ordinary household purposes charged at such an amount when added to that produced from the sale of gas for heating houses and other buildings and for industrial or commercial purposes at the rate or amount then being received by the Company after deducting all proper charges as hereinbefore referred to, will enable the Company to earn a return on the amount of its paid up capital stock which in the opinion of the Board is fair and reasonable. In the event of an application by either the City or the Company as herein provided for, the City Auditor shall be entitled to make an audit of the books of the Company and report the result to the City Council, making special mention of any matter which may affect the interest of the City. In no event shall the company be entitled to charge for gas sold for heating houses and other buildings or for industrial or commercial purposes a greater amount than it is entitled to charge for gas sold for ordinary household purposes.

4. Provided, however, that the said Company may charge an additional Five (5) Cents per thousand cubic feet over and above the prices hereinbefore set forth, the same to be taken off by way of discount on all bills paid within 14 days from presentment of said bills. Such presentment may be effectually made by delivery of such bill at the residence of the consumer or by mailing the same to his street address.

5. Nothing herein contained shall prevent the Company from charging rates for gas sold for heating houses and other buildings and for industrial or commercial purposes rates lower than those charged for ordinary household purposes.

6. The rights and privileges granted by this Agreement shall extend until the 24th day of March, 1941, and the terms, provisions and conditions of By-law Number 400 and its amending By-laws Numbers 443 and 2590 of the Council of the Corporation of the City of Hamilton are amended so as to give full effect to the provisions and amendments herein set forth, but save as herein amended shall be and remain in full force and effect and binding on the parties hereto. This Agreement shall not affect the City's right to assume ownership of the rights and franchises of the Company pursuant to the terms of said By-law Number 400 and amendments thereto.

7. It is understood and agreed between the parties hereto that this Agreement and the provisions herein contained shall become absolutely null and void on the 24th day of March, 1941, and from thenceforth the By-law Number 400 and its amending By-laws Numbers 443 and 2590 and all agreements entered into pursuant to the said by-laws or any of them and all or any of the provisions, terms and conditions therein contained, which have in any way been suspended or amended by this Agreement, shall again become operative from such time as if this Agreement had not been entered into by the parties.

8. In the event of portions of municipalities being annexed to the City, the provisions of this By-law shall apply to the portions of the said municipalities as hereafter may from time to time be annexed to the City from the date of each additional annexation.

9. All written agreements, by-laws and statutes governing the relations between the parties hereto, and the powers of the Company, insofar as they are in force and effect, shall remain in full force and effect, except insofar as they are or may become inconsistent with or altered by or under the terms of this Agreement, and such agreements, by-laws and statutes, and this Agreement shall apply to the Company's business of transporting and supplying gas.

10. The Company agrees that it will not intentionally cease the supplying of gas to the City or consumers without giving the City at least three months' notice in writing of its intention so to do.

11. Except as hereinafter provided this Agreement shall be effective as from the time when the Legislature of the Province of Ontario at its present Session passes legislation—

(a) Conferring upon the Company the right to take all action contemplated by the provisions of Paragraph 2 hereof and in accordance with the intentions thereof;

(b) Conferring jurisdiction upon and requiring the Ontario Railway and Municipal Board to hear and deal with any application made to it under the terms of Paragraph 3 hereof;

(c) Confirming and ratifying this Agreement and the exclusive franchise hereby granted and declaring the same to be valid, legal and binding upon the parties hereto.

The parties hereto agree, effective as of the date of execution hereof, to join in applying to the said Legislature for the passing of the legislation contemplated by Sub-paragraphs (a), (b) and (c) of this Paragraph 11, and of the expense of obtaining such legislation the Company shall pay \$100.00 thereof and the City shall pay the balance thereof (if any).

This Agreement and the provisions herein contained shall enure to the benefit of and be binding upon the parties hereto, their successors and assigns.

In witness whereof the parties hereto have hereunto affixed their respective seals under the hands of their proper officers.

SIGNED, SEALED AND DELIVERED.

BILL

An Act respecting the City of Hamilton.

1st Reading

February 17th, 1931

2nd Reading

March 31st, 1931

3rd Reading

April 1st, 1931

MR. JUTTEN

2ND SESSION, 18TH LEGISLATURE, ONTARIO
21 GEORGE V, 1931

BILL

An Act respecting the City of Niagara Falls.

MR. WILLSON (Niagara Falls)

(PRIVATE BILL)

No. 20

1931

BILL

An Act respecting the City of Niagara Falls.

Preamble.

WHEREAS the corporation of the city of Niagara Falls has by its petition represented that it is desirable that the mayor of the said city should be elected annually notwithstanding the provisions of *The City of Niagara Falls Act, 1922*; that all sales of land for arrears of taxes made prior to 31st December, 1929, due to the said corporation, and all conveyances of lands so sold should be confirmed; that its by-law number 1731 to grant an annual retiring allowance to its former chief of police should be confirmed; that, without the assent of the electors, the said corporation may pass by-laws to borrow upon debentures the sum of \$25,000 for the improvement of Poplar Park and Oakes Park in the said city; and that power be conferred upon it to pass by-laws to prevent the soliciting and importuning of tourists and others; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The City of Niagara Falls Act, 1931*.

1922,
c. 119, s. 3,
amended.

Term of
office of
mayor.

2.—(1) Section 3 of *The City of Niagara Falls Act, 1922* (chapter 119), is amended by striking out the words “mayor and” in the eleventh and twelfth lines respectively of said section.

(2) Notwithstanding anything contained in said section 3 the mayor elected in 1930 for the year 1931 shall hold office for the term of one year only and until his successor is elected and takes office.

Tax sales
and
conveyances
confirmed.

3.—(1) All sales of land within the said city made by the said corporation or its treasurer prior to the 31st day of December, 1929, purporting to be made for arrears of taxes

in respect to the lands so sold are hereby validated and confirmed and all conveyances of land so sold executed by the mayor and treasurer of the said corporation purporting to convey the said lands so sold to the purchaser thereof or his heirs or assigns or to the said corporation shall have the effect of vesting the lands so sold in the purchaser or his heirs or assigns and his or their heirs and assigns or in the said corporation and its successors and assigns, as the case may be, in fee simple and clear of and free from all right, title and interest whatsoever of the owners thereof at the time of such sale, or their assigns, and of all charges and encumbrances thereon and dower therein, except taxes accruing after those for non-payment of which the said lands were sold.

Pending
litigation.

(2) Nothing in this section contained shall affect or prejudice the rights of any person under pending litigation.

By-law
No. 1731
confirmed.

4. By-law number 1731 of the said corporation passed on the 20th day of May, 1929, to grant an annual retiring allowance to the former chief of police of the said city is confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof.

Issue of
debentures
for
improvement
of
certain
parks.

5. The council of the said corporation may, without submitting the same for the assent of the electors of the said city qualified to vote on money by-laws, pass a by-law for borrowing the sum of \$25,000, by the issue and sale of debentures payable at any time within twenty years for the purpose of grading, seeding, fencing, erecting grand stands and dressing rooms on and otherwise improving Poplar Park and Oakes Park in the said city, and any debentures issued under such by-law, if and when passed, shall be legal, valid, and binding upon said corporation and the ratepayers thereof.

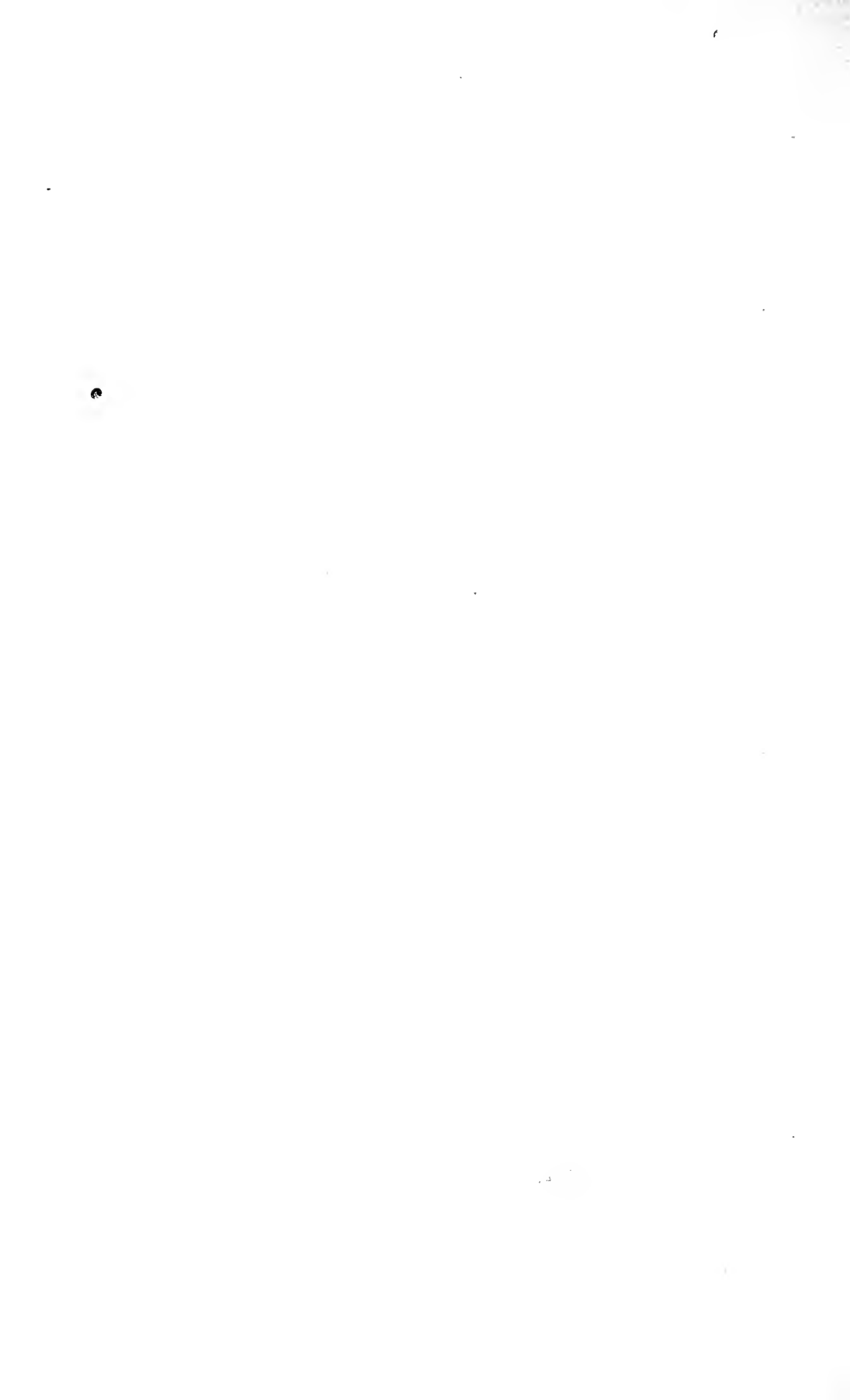
Soliciting
of
tourists, etc.

6.—(1) The said council may pass by-laws for prohibiting any person from soliciting or importuning on or near a highway or in or near a public place any tourist, traveller or other person to travel in or employ any vessel or vehicle or to go to any hotel, boarding house or rooming house, or for regulating persons so employed.

(2) A by-law passed under the authority of this section may be made applicable only to one or more highways or public places named therein or to any defined area.

Commence-
ment of Act.

7. This Act other than section 3 shall come into force on the day upon which it receives the Royal Assent. Section 3 shall come into force on July 1st, 1931.



BILL.

An Act respecting the City of Niagara Falls.

1st Reading

2nd Reading

3rd Reading

MR. WILSON (Niagara Falls)

(Private Bill)

No. 20

2ND SESSION, 18TH LEGISLATURE, ONTARIO
21 GEORGE V, 1931

BILL

An Act respecting the City of Niagara Falls.

MR. WILLSON (Niagara Falls)

(PRIVATE BILL)

TORONTO
PRINTED BY HERBERT H. BALL
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

No. 20

1931

BILL

An Act respecting the City of Niagara Falls.

Preamble.

WHEREAS the corporation of the city of Niagara Falls has by its petition represented that it is desirable that the mayor of the said city should be elected annually notwithstanding the provisions of *The City of Niagara Falls Act, 1922*; that all sales of land for arrears of taxes made prior to 31st December, 1929, due to the said corporation, and all conveyances of lands so sold should be confirmed; that its by-law number 1731 to grant an annual retiring allowance to its former chief of police should be confirmed; that, without the assent of the electors, the said corporation may pass by-laws to borrow upon debentures the sum of \$25,000 for the improvement of Poplar Park and Oakes Park in the said city; and that power be conferred upon it to pass by-laws to prevent the soliciting and importuning of tourists and others; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The City of Niagara Falls Act, 1931*.

1922,
c. 119, s. 3,
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2.—(1) Section 3 of *The City of Niagara Falls Act, 1922* (chapter 119), is amended by striking out the words "mayor and" in the eleventh and twelfth lines respectively of said section.



(2) Notwithstanding anything contained in said section 3 the mayor elected in 1930 for the year 1931 shall hold office for the term of one year only and until his successor is elected and takes office.

Tax sales
and
conveyances
confirmed.

3.—(1) All sales of land within the said city made by the said corporation or its treasurer prior to the 31st day of December, 1929, purporting to be made for arrears of taxes

in respect to the lands so sold are hereby validated and confirmed and all conveyances of land so sold executed by the mayor and treasurer of the said corporation purporting to convey the said lands so sold to the purchaser thereof or his heirs or assigns or to the said corporation shall have the effect of vesting the lands so sold in the purchaser or his heirs or assigns and his or their heirs and assigns or in the said corporation and its successors and assigns, as the case may be, in fee simple and clear of and free from all right, title and interest whatsoever of the owners thereof at the time of such sale, or their assigns, and of all charges and encumbrances thereon and dower therein, except taxes accruing after those for non-payment of which the said lands were sold.

Pending
litigation.

 (2) Nothing in this section contained shall affect or prejudice the rights of any person under any action, litigation or other proceeding now pending, but the same may be proceeded with and finally adjudicated upon in the same manner and as fully and effectually as if this Act had not been passed. 

By-law
No. 1731
confirmed.

4. By-law number 1731 of the said corporation passed on the 20th day of May, 1929, to grant an annual retiring allowance to the former chief of police of the said city is confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof.

Issue of
debentures
for
improve-
ment of
certain
parks.

5. The council of the said corporation may, without submitting the same for the assent of the electors of the said city qualified to vote on money by-laws, pass a by-law for borrowing the sum of \$25,000, by the issue and sale of debentures payable at any time within twenty years for the purpose of grading, seeding, fencing, erecting grand stands and dressing rooms on and otherwise improving Poplar Park and Oakes Park in the said city, and any debentures issued under such by-law, if and when passed, shall be legal, valid, and binding upon said corporation and the ratepayers thereof.


Soliciting
of
tourists, etc.


6.—(1) The said council may pass by-laws for prohibiting any person from soliciting or importuning on a highway or in a public place any tourist, traveller or other person to travel in or employ any vessel or vehicle or to go to any hotel, boarding house or rooming house, or for regulating persons so employed.

Application
of by-law.

(2) A by-law passed under the authority of this section may be made applicable only to one or more highways or public places named therein or to any defined area.

Savings as to
authorized
representa-
tives of
certain
companies.

 (3) No by-law passed under this section shall prevent or affect the solicitation of business by the authorized repre-

sentatives of any steam railway company or system or any of its subsidiaries. 

Commence-
ment of Act.

7. This Act other than section 3 shall come into force on the day upon which it receives the Royal Assent. Section 3 shall come into force on July 1st, 1931.

BILL

An Act respecting the City of Niagara Falls.

1st Reading

March 10th, 1931

2nd Reading

3rd Reading

MR. WILSON (Niagara Falls)

*(Reprinted as amended by the Private
Bills Committee)*

No. 20

2ND SESSION, 18TH LEGISLATURE, ONTARIO
21 GEORGE V, 1931

BILL

An Act respecting the City of Niagara Falls.

MR. WILLSON (Niagara Falls)

No. 20

1931

BILL

An Act respecting the City of Niagara Falls.

Preamble.

WHEREAS the corporation of the city of Niagara Falls has by its petition represented that it is desirable that the mayor of the said city should be elected annually notwithstanding the provisions of *The City of Niagara Falls Act, 1922*; that all sales of land for arrears of taxes made prior to 31st December, 1929, due to the said corporation, and all conveyances of lands so sold should be confirmed; that its by-law number 1731 to grant an annual retiring allowance to its former chief of police should be confirmed; that, without the assent of the electors, the said corporation may pass by-laws to borrow upon debentures the sum of \$25,000 for the improvement of Poplar Park and Oakes Park in the said city; and that power be conferred upon it to pass by-laws to prevent the soliciting and importuning of tourists and others; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The City of Niagara Falls Act, 1931*.

1922,
c. 119, s. 3,
amended.

Term of
office of
mayor.

2.—(1) Section 3 of *The City of Niagara Falls Act, 1922* (chapter 119), is amended by striking out the words "mayor and" in the eleventh and twelfth lines respectively of said section.

(2) Notwithstanding anything contained in said section 3 the mayor elected in 1930 for the year 1931 shall hold office for the term of one year only and until his successor is elected and takes office.

Tax sales
and
conveyance
confirmed.

3.—(1) All sales of land within the said city made by the said corporation or its treasurer prior to the 31st day of December, 1929, purporting to be made for arrears of taxes

in respect to the lands so sold are hereby validated and confirmed and all conveyances of land so sold executed by the mayor and treasurer of the said corporation purporting to convey the said lands so sold to the purchaser thereof or his heirs or assigns or to the said corporation shall have the effect of vesting the lands so sold in the purchaser or his heirs or assigns and his or their heirs and assigns or in the said corporation and its successors and assigns, as the case may be, in fee simple and clear of and free from all right, title and interest whatsoever of the owners thereof at the time of such sale, or their assigns, and of all charges and encumbrances thereon and dower therein, except taxes accruing after those for non-payment of which the said lands were sold.

(2) Nothing in this section contained shall affect or prejudice the rights of any person under any action, litigation or other proceeding now pending, but the same may be proceeded with and finally adjudicated upon in the same manner and as fully and effectually as if this Act had not been passed. Pending litigation.

4. By-law number 1731 of the said corporation passed on the 20th day of May, 1929, to grant an annual retiring allowance to the former chief of police of the said city is confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof. By-law No. 1731 confirmed.

5. The council of the said corporation may, without submitting the same for the assent of the electors of the said city qualified to vote on money by-laws, pass a by-law for borrowing the sum of \$25,000, by the issue and sale of debentures payable at any time within twenty years for the purpose of grading, seeding, fencing, erecting grand stands and dressing rooms on and otherwise improving Poplar Park and Oakes Park in the said city, and any debentures issued under such by-law, if and when passed, shall be legal, valid, and binding upon said corporation and the ratepayers thereof. Issue of debentures for improvement of certain parks.

6.—(1) The said council may pass by-laws for prohibiting any person from soliciting or importuning on a highway or in a public place any tourist, traveller or other person to travel in or employ any vessel or vehicle or to go to any hotel, boarding house or rooming house, or for regulating persons so employed. Soliciting of tourists, etc.

(2) A by-law passed under the authority of this section may be made applicable only to one or more highways or public places named therein or to any defined area. Application of by-law.

(3) No by-law passed under this section shall prevent or affect the solicitation of business by the authorized representatives of certain companies. Savings as to authorized representatives of certain companies.

sentatives of any steam railway company or system or any of its subsidiaries.

Commence-
ment of Act.

7. This Act other than section 3 shall come into force on the day upon which it receives the Royal Assent. Section 3 shall come into force on July 1st, 1931.

BILL

An Act respecting the City of Niagara Falls.

1st Reading

March 10th, 1931

2nd Reading

March 18th, 1931

3rd Reading

March 23rd, 1931

MR. WILSON (Niagara Falls)

No. 21

2ND SESSION, 18TH LEGISLATURE, ONTARIO

21 GEORGE V, 1931

BILL

An Act respecting the Town of Listowel.

MR. RICHARDSON

(PRIVATE BILL)

TORONTO

PRINTED BY HERBERT H. BALL

PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

BILL

An Act respecting the Town of Listowel.

Preamble.

WHEREAS the corporation of the town of Listowel has by its petition represented that it has incurred a floating debt of \$25,000 which has arisen, firstly, by reason of the fact that through the liquidation of a certain company the said corporation has been compelled to pay certain of its debentures amounting to \$14,000, which should have been paid by the said company, and secondly, by reason of the said corporation having been obliged to meet and pay arrears to the amount of \$11,000 upon loans made under the authority of *The Ontario Housing Act, 1919* and whereas the said corporation has represented that to liquidate the said floating indebtedness forthwith in addition to meeting the ordinary annual expenditures would be unduly oppressive to its ratepayers, and has prayed that power should be granted to consolidate the said debt and to issue debentures therefor in an amount not exceeding \$25,000, payable within twenty years after the issue thereof; and whereas it is expedient to grant the prayer of the said petition;

1919, c. 54.

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Town of Listowel Act, 1931*.

Floating
debt con-
solidated.

2. The floating debt of the corporation of the town of Listowel is consolidated at the sum of \$25,000 and the said corporation may borrow by a special issue of debentures a sum not exceeding \$25,000 for the purpose of paying the said floating debt.

Term of
debentures,
etc.

3. The said debentures shall be made payable in not more than twenty years from the date of the issue thereof, and shall bear interest at a rate not exceeding five per centum per annum and may be issued either with or without coupons attached thereto for interest, and shall be payable at such place or places as the corporation may deem expedient.

Payment on
instalment
plan.

4. The said debentures shall be payable in equal annual instalments of principal and interest in such manner and of such amounts that the amount payable for principal and interest in any year shall be equal as nearly as may be to what is payable for principal and interest during each of the other years of the period within which the said debt is to be discharged.

Special
rate.

5. The said corporation shall levy and collect in each year during the period within which the said debt is payable, in addition to all other rates, a special rate sufficient to produce and pay the annual instalments of principal and interest falling due upon the said debentures.

Application
of proceeds.

6. The said debentures and all moneys arising from the sale thereof shall be applied in payment of the said floating debt of \$25,000 and for no other purpose.

Assent of
electors not
required.

7. It shall not be necessary to obtain the assent of the electors of the said town qualified to vote on money by-laws to the passing of any by-law which shall be passed under the authority of this Act or to observe the formalities in relation thereto prescribed by *The Municipal Act*.

Rev. Stat.,
c. 233.

Irregularity
in form not
to invalidate.

8. No irregularity in the form of the said debentures or any of them or of any by-law authorizing the issue thereof, shall render the same invalid or illegal, or be allowed as a defence to any action brought against the said corporation for the recovery of the said debentures or interest or any part thereof; and the purchaser or holder thereof shall not be bound to enquire as to the necessity of passing such by-law or issuing debentures or as to the application of the proceeds thereof.

Treasurer
to keep
proper books
of account.

9. It shall be the duty of the treasurer for the time being, of the said town, to keep, and it shall be the duty of each of the members from time to time, of the council to procure such treasurer to keep and see that he does keep, a proper book of account, setting forth a full and particular statement, so that the same shall at all times show the number of debentures which from time to time shall be issued under the powers conferred by this Act, and the respective amounts payment of which is thereby secured, and the times at which the said debentures shall respectively become due and payable, and the several amounts which shall, from time to time, be realized from the sales or negotiations of the said debentures and the application which shall, from time to time, be made of the said amounts; and the said book of account and statement shall at all times, and at all reasonable hours, be open to the inspection of any ratepayer of the said town, and of any of the holders, from time to time, of the debentures which

shall be issued under the powers hereby conferred, or any of such debentures.

Commence-
ment of Act.

10. This Act shall come into force on the day upon which it receives the Royal Assent.

BILL

An Act respecting the Town of Listowel

1st Reading

2nd Reading

3rd Reading

MR. RICHARDSON

(*Private Bill*)

No. 21

2ND SESSION, 18TH LEGISLATURE, ONTARIO

21 GEORGE V, 1931

BILL

An Act respecting the Town of Listowel.

MR. RICHARDSON

TORONTO

PRINTED BY HERBERT H. BALL

PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

No. 21

1931

BILL

An Act respecting the Town of Listowel.

Preamble.

WHEREAS the corporation of the town of Listowel has by its petition represented that it has incurred a floating debt of \$25,000 which has arisen, firstly, by reason of the fact that through the liquidation of a certain company the said corporation has been compelled to pay certain of its debentures amounting to \$14,000, which should have been paid by the said company, and secondly, by reason of the said corporation having been obliged to meet and pay arrears to the amount of \$11,000 upon loans made under the authority of *The Ontario Housing Act, 1919* and whereas the said corporation has represented that to liquidate the said floating indebtedness forthwith in addition to meeting the ordinary annual expenditures would be unduly oppressive to its ratepayers, and has prayed that power should be granted to consolidate the said debt and to issue debentures therefor in an amount not exceeding \$25,000, payable within twenty years after the issue thereof; and whereas it is expedient to grant the prayer of the said petition;

1919, c. 54.

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Town of Listowel Act, 1931*.

Floating
debt con-
solidated.

2. The floating debt of the corporation of the town of Listowel is consolidated at the sum of \$25,000 and the said corporation may borrow by a special issue of debentures a sum not exceeding \$25,000 for the purpose of paying the said floating debt.

Term of
debentures,
etc.

3. The said debentures shall be made payable in not more than fifteen years from the date of the issue thereof, and shall bear interest at a rate not exceeding five per centum per annum and may be issued either with or without coupons attached thereto for interest, and shall be payable at such place or places as the corporation may deem expedient.

4. The said debentures shall be payable in equal annual instalments of principal and interest in such manner and of such amounts that the amount payable for principal and interest in any year shall be equal as nearly as may be to what is payable for principal and interest during each of the other years of the period within which the said debt is to be discharged.

Payment on instalment plan.

5. The said corporation shall levy and collect in each year during the period within which the said debt is payable, in addition to all other rates, a special rate sufficient to produce and pay the annual instalments of principal and interest falling due upon the said debentures.

Special rate.

6. The said debentures and all moneys arising from the sale thereof shall be applied in payment of the said floating debt of \$25,000 and for no other purpose.

Application of proceeds.

7. It shall not be necessary to obtain the assent of the electors of the said town qualified to vote on money by-laws to the passing of any by-law which shall be passed under the authority of this Act or to observe the formalities in relation thereto prescribed by *The Municipal Act*.

Assent of electors not required.

8. No irregularity in the form of the said debentures or any of them or of any by-law authorizing the issue thereof, shall render the same invalid or illegal, or be allowed as a defence to any action brought against the said corporation for the recovery of the said debentures or interest or any part thereof; and the purchaser or holder thereof shall not be bound to enquire as to the necessity of passing such by-law or issuing debentures or as to the application of the proceeds thereof.

Rev. Stat., c. 233.

9. It shall be the duty of the treasurer for the time being, of the said town, to keep, and it shall be the duty of each of the members from time to time, of the council to procure such treasurer to keep and see that he does keep, a proper book of account, setting forth a full and particular statement, so that the same shall at all times show the number of debentures which from time to time shall be issued under the powers conferred by this Act, and the respective amounts payment of which is thereby secured, and the times at which the said debentures shall respectively become due and payable, and the several amounts which shall, from time to time, be realized from the sales or negotiations of the said debentures and the application which shall, from time to time, be made of the said amounts; and the said book of account and statement shall at all times, and at all reasonable hours, be open to the inspection of any ratepayer of the said town, and of any of the holders, from time to time, of the debentures which

Treasurer to keep proper books of account.

shall be issued under the powers hereby conferred, or any of such debentures.

Commence-
ment of Act

10. This Act shall come into force on the day upon which it receives the Royal Assent.

BILL

An Act respecting the Town of Listowel

1st Reading

February 25th, 1931

2nd Reading

March 11th, 1931

3rd Reading

March 16th, 1931

MR. RICHARDSON

No. 22

2ND SESSION, 18TH LEGISLATURE, ONTARIO
21 GEORGE V, 1931

BILL

An Act respecting the Border Cities Young Men's and Young Women's
Christian Associations.

MR. REID

(PRIVATE BILL)

TORONTO
PRINTED BY HERBERT H. BALL
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

BILL

An Act respecting the Border Cities Young Men's and Young Women's Christian Associations.

Preamble.

WHEREAS the Border Cities Young Men's and Young Women's Christian Associations of Windsor has by its petition represented that the said association was incorporated in the year 1925 under *The Ontario Companies Act*; and whereas the said association has by its petition prayed that an Act may be passed to confirm its said incorporation and to extend its powers as hereinafter set out; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Border Cities Young Men's and Young Women's Christian Associations Act, 1931*.

Incorporation confirmed.

2. The incorporation of the said association is confirmed and the association is declared to be a body corporate and politic under the name of "The Border Cities Young Men's and Young Women's Christian Associations," hereinafter referred to as the "associations."

Objects.

3. The objects of the associations shall be the spiritual, mental, social, educational and physical welfare and improvement of young men, boys, young women and girls by the erection, operation, maintenance and support of buildings, rooms, libraries, gymnasias, swimming pools, dormitories, restaurants, cafeterias, athletic quarters and grounds, aquatic facilities, recreational facilities, summer camps, the holding, maintenance and support of meetings, lectures and educational instruction and courses and by such other means as may from time to time be determined upon.

Branches.

4. The associations shall have power to establish branch associations in the city of Windsor and in the vicinity of the said city.

Constitution
and
by-laws.

5. The constitution as set forth in the Letters Patent incorporating the associations and by-laws heretofore adopted by the associations and now in force are hereby declared to be the constitution and by-laws of the associations and shall remain in force until the same are repealed or amended.

Amendment
of
constitution.

6. The associations shall have power at any time to amend the said constitution at any general meeting providing that ten days' notice of such meeting and the proposed amendment in writing is given to the members, and providing that such amendment is carried by a two-thirds vote of the members in attendance at such general meeting.

Officers and
directors.

7. The officers and directors of the associations in office at the time of the passing of this Act shall be the officers and directors of the associations and continue in their respective offices until their successors are elected or appointed in accordance with the constitution and by-laws of the associations.

Existing
real and
personal
property.

8. All property real and personal belonging to or held in trust for the associations is and shall henceforth be vested in the associations to be held, used, administered and disposed of, subject to the provisions of this Act, in accordance with the constitution and by-laws of the associations.

Existing
debts and
liabilities
assumed.

9. The associations and all its property shall remain liable for the payment or satisfaction of any debts or obligations heretofore contracted or incurred in the same manner and to the same extent as if this Act had not been passed.

Power to
acquire
property
and
dispose
thereof.

10. The associations shall have power to acquire and hold in the city of Windsor and vicinity any real property or any estate or interest therein either by purchase, lease, gift, devise or bequest either absolutely or in trust, and to sell, transfer, exchange, mortgage, hypothecate, lease or otherwise alienate or dispose of the same or any part thereof and apply the proceeds of any such property for its purposes; provided that no land at any time acquired by the associations and not required for its actual use and purposes or by way of security for the payment of any loan, debt or guarantee, shall be held by it or by any trustee on its behalf for a longer period than seven years after it shall cease to be so required, but this proviso shall not be deemed in any wise to vary or otherwise affect any trust relating to such property.

Tax
exemption.

11. The buildings, lands, equipment, and undertaking of the associations, so long as the same are occupied by and used for the purposes of the associations shall be and the same are hereby declared to be exempt from taxation for the year

1927 and thereafter, except for taxation for local improvements.

Borrowing.

12. The associations shall have power to borrow money for its purposes upon its credit and shall have power to mortgage, hypothecate or pledge any of its property, real or personal, as security for any loan.

Endowment fund.

13. The associations shall have power to establish an endowment fund or funds for any of its purposes and shall have power to create such funds out of its own moneys or securities for moneys and out of any subscriptions, gifts, donations and bequests under such trusts, regulations and conditions in respect thereto as may from time to time be determined by the board of directors of the associations.

Loaning.

14. The associations shall have power to lend, invest and reinvest any of its funds and moneys in any securities authorized by law as investments for trust funds.

Technical,
etc.,
education.

15. The associations shall have power to establish, aid or support such systems or courses of technical, vocational or trades education as the board of directors of the associations may from time to time determine.

Commence-
ment of Act.

16. This Act shall come into force on the day upon which it receives the Royal Assent.

BILL

An Act respecting the Border Cities
Young Men's and Young Women's
Christian Associations

1st Reading

2nd Reading

3rd Reading

MR. REID

(Private Bill)

No. 22

2ND SESSION, 18TH LEGISLATURE, ONTARIO
21 GEORGE V, 1931

BILL

An Act respecting the Border Cities Young Men's and Young Women's
Christian Associations.

MR. REID

(PRIVATE BILL)

TORONTO
PRINTED BY HERBERT H. BALL
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

BILL

An Act respecting the Border Cities Young Men's and Young Women's Christian Associations.

Preamble.

WHEREAS the Border Cities Young Men's and Young Women's Christian Associations of Windsor has by its petition represented that the said association was incorporated in the year 1925 under *The Ontario Companies Act*; and whereas the said association has by its petition prayed that an Act may be passed to confirm its said incorporation and to extend its powers as hereinafter set out; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Border Cities Young Men's and Young Women's Christian Associations Act, 1931*.

Incorporation confirmed.

2. The incorporation of the said association is confirmed and the association is declared to be a body corporate and politic under the name of "The Border Cities Young Men's and Young Women's Christian Associations," hereinafter referred to as the "associations."

Objects.

3. The objects of the associations shall be the spiritual, mental, social, educational and physical welfare and improvement of young men, boys, young women and girls by the erection, operation, maintenance and support of buildings, rooms, libraries, gymnasias, swimming pools, dormitories, restaurants, cafeterias, athletic quarters and grounds, aquatic facilities, recreational facilities, summer camps, the holding, maintenance and support of meetings, lectures and educational instruction and courses and by such other means as may from time to time be determined upon.

Branches.

4. The associations shall have power to establish branch associations in the city of Windsor and in the vicinity of the said city.

Constitution
and
by-laws.

5. The constitution as set forth in the Letters Patent incorporating the associations and by-laws heretofore adopted by the associations and now in force are hereby declared to be the constitution and by-laws of the associations and shall remain in force until the same are repealed or amended.

Amendment
of
constitution.

6. The associations shall have power at any time to amend the said constitution at any general meeting providing that ten days' notice of such meeting and the proposed amendment in writing is given to the members, and providing that such amendment is carried by a two-thirds vote of the members in attendance at such general meeting.

Officers and
directors.

7. The officers and directors of the associations in office at the time of the passing of this Act shall be the officers and directors of the associations and continue in their respective offices until their successors are elected or appointed in accordance with the constitution and by-laws of the associations.

Existing
real and
personal
property.

8. All property real and personal belonging to or held in trust for the associations is and shall henceforth be vested in the associations to be held, used, administered and disposed of, subject to the provisions of this Act, in accordance with the constitution and by-laws of the associations.

Existing
debts and
liabilities
assumed.

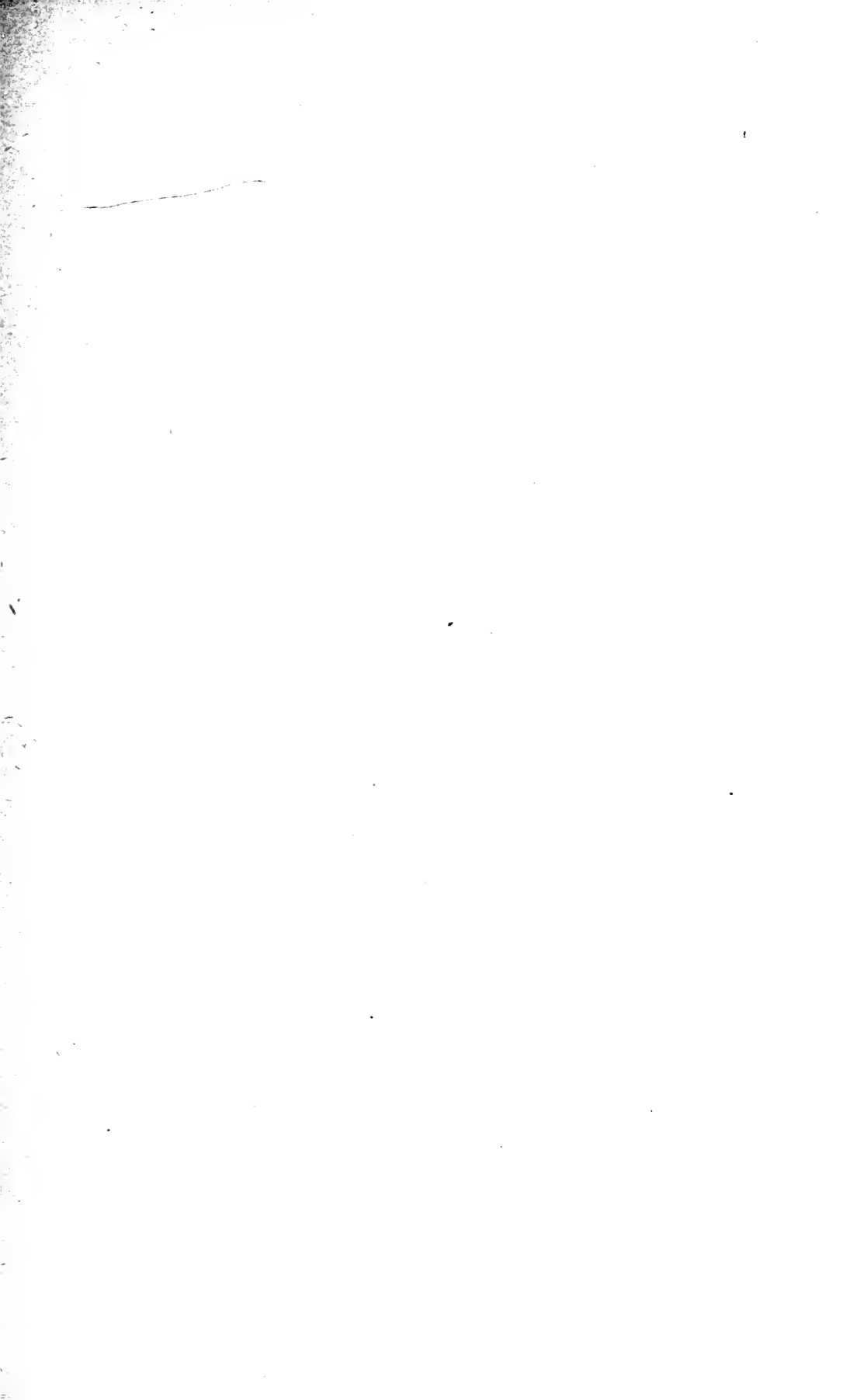
9. The associations and all its property shall remain liable for the payment or satisfaction of any debts or obligations heretofore contracted or incurred in the same manner and to the same extent as if this Act had not been passed.

Power to
acquire
property
and
dispose
thereof.

10. The associations shall have power to acquire and hold in the city of Windsor and vicinity any real property or any estate or interest therein either by purchase, lease, gift, devise or bequest either absolutely or in trust, and to sell, transfer, exchange, mortgage, hypothecate, lease or otherwise alienate or dispose of the same or any part thereof and apply the proceeds of any such property for its purposes; provided that no land at any time acquired by the associations and not required for its actual use and purposes or by way of security for the payment of any loan, debt or guarantee, shall be held by it or by any trustee on its behalf for a longer period than seven years after it shall cease to be so required, but this proviso shall not be deemed in any wise to vary or otherwise affect any trust relating to such property.

Tax
exemption.

11.—(1) The buildings, lands, equipment, and undertaking of the associations, so long as the same are occupied by and used for the purposes of the associations shall be and the same are hereby declared to be exempt from taxation, except for taxation for local improvements *and school purposes*.



Agreement
with City of
Windsor
as to exten-
sion of time
for payment
of arrears
of taxes.

(2) The council of the corporation of the city of Windsor may agree with the associations to extend, for a period not exceeding five years, the time within which arrears of taxes now owing in respect to the lands of the associations for the years 1927 to 1930 shall be paid, and to provide as to the times for payment of such arrears of taxes, by instalments or otherwise, and as to the penalties and interest to be added thereto; and during the currency of any such agreement and for so long as the associations are not in default thereunder no portion of its lands or personal property may under distraint or otherwise be sold by the said corporation or its officers for such arrears of taxes.

Borrowing.

12. The associations shall have power to borrow money for its purposes upon its credit and shall have power to mortgage, hypothecate or pledge any of its property, real or personal, as security for any loan.

Endowment
fund.

13. The associations shall have power to establish an endowment fund or funds for any of its purposes and shall have power to create such funds out of its own moneys or securities for moneys and out of any subscriptions, gifts, donations and bequests under such trusts, regulations and conditions in respect thereto as may from time to time be determined by the board of directors of the associations.

Loaning.

14. The associations shall have power to lend, invest and reinvest any of its funds and moneys in any securities authorized by law as investments for trust funds.

Technical,
etc.,
education.

15. The associations shall have power to establish, aid or support such courses of technical, vocational or trades education as the board of directors of the associations may from time to time determine.

Municipal
grants.

16. The councils of the corporations of the cities of Windsor and East Windsor and of the towns of Walkerville, Sandwich, Ojibway and Riverside, or any of them, may make grants to the associations to an amount not exceeding in any one year the sum of \$3,000.

Commence-
ment of Act.

17. This Act shall come into force on the day upon which it receives the Royal Assent.



BILL

An Act respecting the Border Cities
Young Men's and Young Women's
Christian Associations

1st Reading

February 25th, 1931

2nd Reading

3rd Reading

MR. REID

*(Reprinted as amended by the Private
Bills Committee)*

No. 22

2ND SESSION, 18TH LEGISLATURE, ONTARIO
21 GEORGE V, 1931

BILL

An Act respecting the Border Cities Young Men's and Young Women's
Christian Associations.

MR. REID

TORONTO
PRINTED BY HERBERT H. BALL
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

BILL

An Act respecting the Border Cities Young Men's and Young Women's Christian Associations.

Preamble.

WHEREAS the Border Cities Young Men's and Young Women's Christian Associations of Windsor has by its petition represented that the said association was incorporated in the year 1925 under *The Ontario Companies Act*; and whereas the said association has by its petition prayed that an Act may be passed to confirm its said incorporation and to extend its powers as hereinafter set out; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Border Cities Young Men's and Young Women's Christian Associations Act, 1931*.

Incorporation confirmed.

2. The incorporation of the said association is confirmed and the association is declared to be a body corporate and politic under the name of "The Border Cities Young Men's and Young Women's Christian Associations," hereinafter referred to as the "associations."

Objects.

3. The objects of the associations shall be the spiritual, mental, social, educational and physical welfare and improvement of young men, boys, young women and girls by the erection, operation, maintenance and support of buildings, rooms, libraries, gymnasia, swimming pools, dormitories, restaurants, cafeterias, athletic quarters and grounds, aquatic facilities, recreational facilities, summer camps, the holding, maintenance and support of meetings, lectures and educational instruction and courses and by such other means as may from time to time be determined upon.

Branches.

4. The associations shall have power to establish branch associations in the city of Windsor and in the vicinity of the said city.

5. The constitution as set forth in the Letters Patent ^{Constitution and by-laws.} incorporating the associations and by-laws heretofore adopted by the associations and now in force are hereby declared to be the constitution and by-laws of the associations and shall remain in force until the same are repealed or amended.

6. The associations shall have power at any time to amend ^{Amendment of constitution.} the said constitution at any general meeting providing that ten days' notice of such meeting and the proposed amendment in writing is given to the members, and providing that such amendment is carried by a two-thirds vote of the members in attendance at such general meeting.

7. The officers and directors of the associations in office at the time of the passing of this Act shall be the officers and directors of the associations and continue in their respective offices until their successors are elected or appointed in accordance with the constitution and by-laws of the associations. ^{Officers and directors.}

8. All property real and personal belonging to or held in ^{Existing real and personal property.} trust for the associations is and shall henceforth be vested in the associations to be held, used, administered and disposed of, subject to the provisions of this Act, in accordance with the constitution and by-laws of the associations.

9. The associations and all its property shall remain liable ^{Existing debts and liabilities assumed.} for the payment or satisfaction of any debts or obligations heretofore contracted or incurred in the same manner and to the same extent as if this Act had not been passed.

10. The associations shall have power to acquire and hold ^{Power to acquire property and dispose thereof.} in the city of Windsor and vicinity any real property or any estate or interest therein either by purchase, lease, gift, devise or bequest either absolutely or in trust, and to sell, transfer, exchange, mortgage, hypothecate, lease or otherwise alienate or dispose of the same or any part thereof and apply the proceeds of any such property for its purposes; provided that no land at any time acquired by the associations and not required for its actual use and purposes or by way of security for the payment of any loan, debt or guarantee, shall be held by it or by any trustee on its behalf for a longer period than seven years after it shall cease to be so required, but this proviso shall not be deemed in any wise to vary or otherwise affect any trust relating to such property.

11.—(1) The buildings, lands, equipment, and undertaking ^{Tax exemption.} of the associations, so long as the same are occupied by and used for the purposes of the associations shall be and the same are hereby declared to be exempt from taxation, except for taxation for local improvements and school purposes.

Agreement
with City of
Windsor
as to extension
of time
for payment
of arrears
of taxes.

(2) The council of the corporation of the city of Windsor may agree with the associations to extend, for a period not exceeding five years, the time within which arrears of taxes now owing in respect to the lands of the associations for the years 1927 to 1930 shall be paid, and to provide as to the times for payment of such arrears of taxes, by instalments or otherwise, and as to the penalties and interest to be added thereto; and during the currency of any such agreement and for so long as the associations are not in default thereunder no portion of its lands or personal property may under distraint or otherwise be sold by the said corporation or its officers for such arrears of taxes.

Borrowing.

12. The associations shall have power to borrow money for its purposes upon its credit and shall have power to mortgage, hypothecate or pledge any of its property, real or personal, as security for any loan.

Endowment
fund.

13. The associations shall have power to establish an endowment fund or funds for any of its purposes and shall have power to create such funds out of its own moneys or securities for moneys and out of any subscriptions, gifts, donations and bequests under such trusts, regulations and conditions in respect thereto as may from time to time be determined by the board of directors of the associations.

Loaning.

14. The associations shall have power to lend, invest and reinvest any of its funds and moneys in any securities authorized by law as investments for trust funds.

Technical,
etc.,
education.

15. The associations shall have power to establish, aid or support such courses of technical, vocational or trades education as the board of directors of the associations may from time to time determine.

Municipal
grants.

16. The councils of the corporations of the cities of Windsor and East Windsor and of the towns of Walkerville, Sandwich, Ojibway and Riverside, or any of them, may make grants to the associations to an amount not exceeding in any one year the sum of \$3,000.

Commence-
ment of Act.

17. This Act shall come into force on the day upon which it receives the Royal Assent.

BILL

An Act respecting the Border Cities
Young Men's and Young Women's
Christian Associations

1st Reading

February 25th, 1931

2nd Reading

March 6th, 1931

3rd Reading

March 13th, 1931

MR. REID

2ND SESSION, 18TH LEGISLATURE, ONTARIO
21 GEORGE V, 1931

BILL

An Act respecting the Township of North Gwillimbury.

MR. CASE

(PRIVATE BILL.)

No. 23

1931

BILL

An Act respecting the Township of North Gwillimbury.

Preamble.

WHEREAS the corporation of the township of North Gwillimbury has by its petition represented that it desires power to purchase a certain part of the right-of-way of the Toronto Transportation Commission and a certain gravel pit situate in the said township and to pay for the same and of the costs incidental thereto, in the year 1931, by the levy of a special rate sufficient therefor on all the rateable property in a certain defined area in the said township; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Township of North Gwillimbury Act, 1931*.

Purchase of
right-of-way.

2. The corporation of the township of North Gwillimbury may, without the assent of the electors of the said township or of the area to be assessed under this Act, purchase that part of the right-of-way of the Toronto Transportation Commission from the southerly limit of lot 11 in the third concession of the said township, to its intersection with the paved highway running north from the old village of Sutton through that part of the incorporated village of Sutton known as Jackson's Point, a distance of approximately twelve miles, subject to the rights of The Hydro-Electric Power Commission of Ontario, and also the gravel pit comprising about four acres in lot 23 in the second concession of the said township, at the price or sum of \$3,000, and may pass such by-law or by-laws as may be necessary for the said purposes.

Assessment
of special
area for
cost of
purchase,
etc.

3. The said corporation may levy and collect, during the year 1931, by a special rate, in addition to all other rates, a sum sufficient to pay the said purchase price, and all other costs incidental to the said purchase and to the obtaining of authority therefor, on all the rateable property within the

following area in the said township, namely, all that area of land lying between the said right-of-way and the shores of Lake Simcoe, from the southerly limit of lot 12 in the third concession of the said township to the westerly limit of that part of the village of Sutton known as Jackson's Point.

Rev. Stat.,
c. 238 to
apply.

4. The provisions of *The Assessment Act* shall apply to the collection and recovery of all special rates imposed under the provisions of this Act.

Commence-
ment of Act.

5. This Act shall come into force on the day upon which it receives the Royal Assent.

BILL

An Act respecting the Township of
North Gwillimbury

1st Reading

2nd Reading

3rd Reading

MR. CASE

(*Private Bill*)

No. 23

2ND SESSION, 18TH LEGISLATURE, ONTARIO

21 GEORGE V, 1931

BILL

An Act respecting the Township of North Gwillimbury.

MR. CASE

(PRIVATE BILL.)

TORONTO

PRINTED BY HERBERT H. BALL

PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

No. 23

1931

BILL

An Act respecting the Township of North Gwillimbury.

Preamble.


WHEREAS the corporation of the township of North Gwillimbury has by its petition represented that it desires power to purchase a certain part of the right-of-way of *The Hydro-Electric Power Commission of Ontario, formerly owned by the corporation of the city of Toronto* and a certain gravel pit situate in the said township and to pay for the same and of the costs incidental thereto, in the year 1931, *or in succeeding years*, by the levy of a special rate sufficient therefor on all the rateable property in a certain defined area in the said township; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Township of North Gwillimbury Act, 1931*.

Power to
purchase
right-of-way.


 **2.** The corporation of the township of North Gwillimbury may, without the assent of the electors of the said township or of the area to be assessed under this Act, enter into an agreement to purchase from The Hydro-Electric Power Commission of Ontario, that part of its right-of-way formerly owned by the corporation of the city of Toronto extending from the southerly limit of lot 11 in the third concession of the said township to its intersection with the paved highway running north from the old village of Sutton through that part of the present incorporated village of Sutton known as Jackson's Point, a distance of approximately twelve miles, and also the gravel pit comprising 6.3 acres in lot number 23 in the second concession of the said township, at the price or sum of \$3,000, subject to the rights of The Hydro-Electric Power Commission of Ontario to maintain and operate the transmission line and/or lines therein and thereon, and may pass such by-law or by-laws as may be necessary for the said purposes; provided that should any highway hereafter be

constructed on said right-of-way necessitating the removal of the said commission's transmission line or lines and poles from their present position near the centre of said right-of-way to or near either side so as to leave sufficient room for the building of such highway, or if for any other reason the said commission is requested by the said corporation to move its transmission line or lines or poles on said right-of-way, the council of the said corporation is hereby authorized and empowered to enter into an agreement with the said commission to protect and indemnify the said commission against any expenditure in connection with such necessary removal of such transmission lines and poles as aforesaid, and may, if necessary, pay to the said commission the cost of such removal as aforesaid.

Saving
purchase
rights of
others prior
to 1st May,
1931.

3. Nothing in section 2 contained shall prevent any other municipality or municipalities acquiring the said right-of-way from the said commission if the same is acquired for or in connection with the operation of an electric railway prior to the 1st day of May, 1931.

Assessment
of special
area.

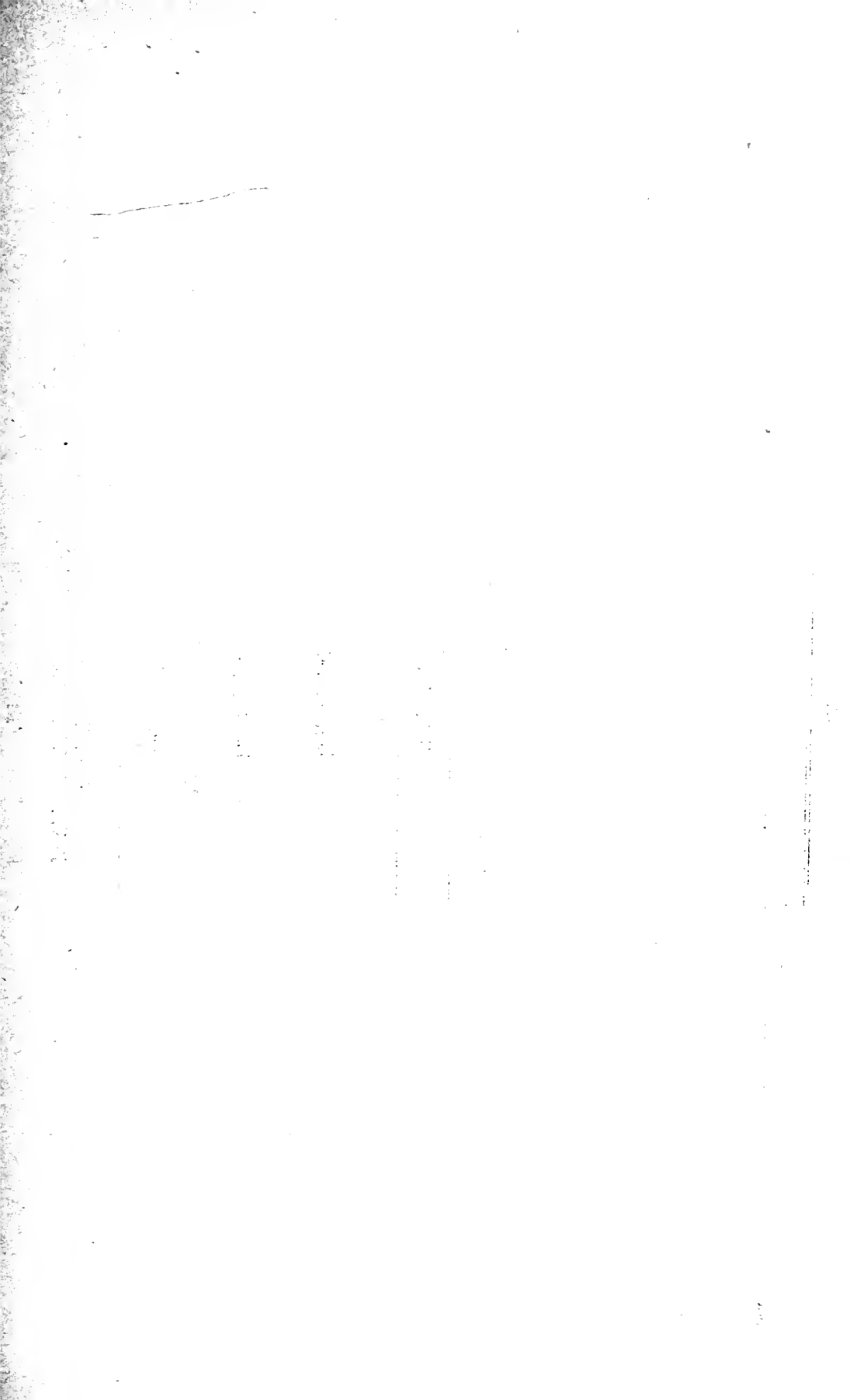
4. The council of the said corporation may levy and collect, during the year 1931, by a special rate, in addition to all other rates, a sum sufficient to pay the said purchase price, and all other costs incidental to the said purchase, including any amount or amounts agreed to be paid or paid by the said corporation by way of indemnity under the provisions of section 2, and to the obtaining of authority therefor, on all the rateable property within the following area in the said township, namely, all that area of land lying between the said right-of-way and the shores of Lake Simcoe from the southerly limit of lot 12, in the third concession of the said township to the westerly limit of that part of the present incorporated village of Sutton, known as Jackson's Point; provided, that should any portion of the cost hereinbefore mentioned, be not paid or payable during the year 1931, by the said corporation, then the said council may levy and collect by a special rate, in addition to all other rates, a sum sufficient to pay for such portion on all the rateable property in the said area in the year in which such portion is paid or payable, or in the next succeeding year. 

Rev. Stat.,
c. 238 to
apply.

5. The provisions of *The Assessment Act* shall apply to the collection and recovery of all special rates imposed under the provisions of this Act.

Commence-
ment of Act.

6. This Act shall come into force on the day upon which it receives the Royal Assent.



BILL

An Act respecting the Township of
North Gwillimbury

1st Reading

February 25th, 1931

2nd Reading

3rd Reading

MR. CASE

(*Reprinted as amended by the Private
Bills Committee*)

No. 23

2ND SESSION, 18TH LEGISLATURE, ONTARIO

21 GEORGE V, 1931

BILL

An Act respecting the Township of North Gwillimbury.

MR. CASE

TORONTO

PRINTED BY HERBERT H. BALL

PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

No. 23

1931

BILL

An Act respecting the Township of North Gwillimbury.

Preamble.

WHEREAS the corporation of the township of North Gwillimbury has by its petition represented that it desires power to purchase a certain part of the right-of-way of The Hydro-Electric Power Commission of Ontario, formerly owned by the corporation of the city of Toronto and a certain gravel pit situate in the said township and to pay for the same and of the costs incidental thereto, in the year 1931, or in succeeding years, by the levy of a special rate sufficient therefor on all the rateable property in a certain defined area in the said township; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Township of North Gwillimbury Act, 1931*.

Power to
purchase
right-of-way.

2. The corporation of the township of North Gwillimbury may, without the assent of the electors of the said township or of the area to be assessed under this Act, enter into an agreement to purchase from The Hydro-Electric Power Commission of Ontario, that part of its right-of-way formerly owned by the corporation of the city of Toronto extending from the southerly limit of lot 11 in the third concession of the said township to its intersection with the paved highway running north from the old village of Sutton through that part of the present incorporated village of Sutton known as Jackson's Point, a distance of approximately twelve miles, and also the gravel pit comprising 6.3 acres in lot number 23 in the second concession of the said township, at the price or sum of \$3,000, subject to the rights of The Hydro-Electric Power Commission of Ontario to maintain and operate the transmission line and/or lines therein and thereon, and may pass such by-law or by-laws as may be necessary for the said purposes; provided that should any highway hereafter be

constructed on said right-of-way necessitating the removal of the said commission's transmission line or lines and poles from their present position near the centre of said right-of-way to or near either side so as to leave sufficient room for the building of such highway, or if for any other reason the said commission is requested by the said corporation to move its transmission line or lines or poles on said right-of-way, the council of the said corporation is hereby authorized and empowered to enter into an agreement with the said commission to protect and indemnify the said commission against any expenditure in connection with such necessary removal of such transmission lines and poles as aforesaid, and may, if necessary, pay to the said commission the cost of such removal as aforesaid.

3. Nothing in section 2 contained shall prevent any other municipality or municipalities acquiring the said right-of-way from the said commission if the same is acquired for or in connection with the operation of an electric railway prior to the 1st day of May, 1931.

4. The council of the said corporation may levy and collect, during the year 1931, by a special rate, in addition to all other rates, a sum sufficient to pay the said purchase price, and all other costs incidental to the said purchase, including any amount or amounts agreed to be paid or paid by the said corporation by way of indemnity under the provisions of section 2, and to the obtaining of authority therefor, on all the rateable property within the following area in the said township, namely, all that area of land lying between the said right-of-way and the shores of Lake Simcoe from the southerly limit of lot 12, in the third concession of the said township to the westerly limit of that part of the present incorporated village of Sutton, known as Jackson's Point; provided, that should any portion of the cost hereinbefore mentioned, be not paid or payable during the year 1931, by the said corporation, then the said council may levy and collect by a special rate, in addition to all other rates, a sum sufficient to pay for such portion on all the rateable property in the said area in the year in which such portion is paid or payable, or in the next succeeding year.

5. The provisions of *The Assessment Act* shall apply to the collection and recovery of all special rates imposed under the provisions of this Act.

6. This Act shall come into force on the day upon which it receives the Royal Assent.

BILL

An Act respecting the Township of
North Gwillimbury

1st Reading

February 25th, 1931

2nd Reading

March 6th, 1931

3rd Reading

March 13th, 1931

MR. CASE

No. 24

2ND SESSION, 18TH LEGISLATURE, ONTARIO
21 GEORGE V, 1931

BILL

An Act respecting the Township of York.

MR. CASE

(PRIVATE BILL)

TORONTO
PRINTED BY HERBERT H. BALL
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

No 24

1931

BILL

An Act respecting the Township of York.

Preamble.

WHEREAS the corporation of the township of York has by its petition prayed for special legislation in regard to the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Township of York Act, 1931*.

Annexation
of part of
Forest Hill.

2.—(1) The lands hereinafter described, namely:

All and singular that certain parcel or tract of land and premises now situate, lying and being in the village of Forest Hill in the county of York and Province of Ontario and being composed of part of the original allowance for road known as Eglinton Avenue lying between township lots 26, 27 and 28 of concession III from the Bay and township lot 1 in the second concession west of Yonge Street all as shown on the plan of the original township of York; which said parcel may be more particularly described as follows: commencing at a point of intersection of the south limit of the said original allowance for road known as Eglinton Avenue with the centre line of the sideroad, known as Bathurst Street, lying between township lots 25 and 26 in the said concession III from the Bay; thence northerly along the northerly production of the centre line of the said Bathurst Street a distance of thirty-three feet (33') to the centre line of the said original allowance for road known as Eglinton Avenue; thence westerly along the centre line of the said Eglinton Avenue a distance of three thousand seven hundred and seventy-five feet ten inches (3775' 10'') more or less to the intersection with the southerly extension of the east limit of Lyon Avenue as shown on a plan registered in the registry office for the east and west ridings of the county of York at Toronto and numbered 1493; thence southerly along the southerly production

of the east limit of the said Lyon Avenue thirty-three feet (33') more or less to the point of intersection with the south limit of the said original allowance for road known as Eglinton Avenue; thence easterly along the south limit of the village of Forest Hill as set out in by-law 1381 of the county of York passed on the 15th day of December, 1923, to the point of commencement,

now forming part of the village of Forest Hill are hereby detached therefrom and are annexed to and hereafter shall form part of the Township of York.

Effective date.

(2) Such annexation shall be deemed to have taken place and shall have effect on from and after the first day of January, 1931.

No adjustments to be made.

(3) There shall be no adjustment of assets and liabilities between the corporations of the said township and village consequent upon such annexation.

Period for assessment of income.

Rev. Stat., c. 238.

3.—(1) Notwithstanding the provisions of *The Assessment Act* the council of the corporation of the township of York may by by-law provide for taking the assessment of income between the first day of January and the fifteenth day of March in each year, the rolls for such income assessment in such case being returnable to the clerk on or before the first day of April in such year.

Appeals from income assessment
Rev. Stat., c. 238.

(2) Any such by-law shall provide for holding of a court of revision for hearing appeals from any assessment of income in manner provided by *The Assessment Act* upon the return of such assessment roll to the clerk. The time for appeal to the court of revision shall be within ten days after the last day fixed for return of the said roll and the time for appealing from the court of revision to the county judge shall be within three days after the decision of the court of revision is given.

Income tax levy for current year.

(3) The assessment of income so made and completed in any year, whether or not it is completed by the time herein provided, shall upon its final revision be the assessment of income on which the rate of taxation of income for such year shall be levied by the said council.

Rate of income tax may be fixed.

Rev. Stat., c. 233.

4. Notwithstanding the provisions of *The Municipal Act* or of any other general or special Act the said council may by by-law passed in each year provide that the rate of taxation to be levied in such year on assessments of income shall be such rate as may be fixed by the said by-law. The said rate may vary from but shall not exceed the rate of taxation levied or to be levied in such year upon assessments of real property and shall not be less than three cents in the dollar.

Effective
date.

5. Sections 3 and 4 shall be read and construed as having effect on from and after the first day of January 1931.

County
equalization
for town-
ship of York
fixed.

Rev. Stat.,
c. 238.

6.—(1) Notwithstanding the provisions of *The Assessment Act* or of any other general or special Act, the amount at which the valuation and assessment of all the rateable property in the township of York shall be equalized by the council of the corporation of the county of York for the purpose of apportioning and imposing county rates and at which in the year 1932 and in every year thereafter the council of the said county shall in respect to the said township apportion and impose county rates is fixed at a sum equivalent to and representing 21.76 per centum of the total amount at which the aggregate assessments of the rateable property of all the municipalities in the county, including the said township, is equalized by the council of the said county.

(2) This section shall have force and effect only so long as the said township for municipal purposes forms part of the said county.

Application
of unclaimed
tax moneys.

7.—(1) The unclaimed moneys which now are or hereafter may be in the hands of the treasurer of the said township arising from duplicate payments of taxes and surplus moneys from tax sales may from time to time be transferred to and shall thereupon form part of the general funds of the said corporation, provided that any portion of the said moneys received in respect to lands now forming part of another municipality shall be paid over to the treasurer of such municipality (less its proportion of the cost of advertising, administering and transferring such moneys), to be used as the council of such municipality may direct.

Notice to
persons to
establish
claims before
application
of such
moneys.

(2) No such moneys shall be transferred or paid over until ninety days after the treasurer of the said township shall have inserted in two of the daily newspapers published in the city of Toronto a notice that a list with particulars of such unclaimed moneys has been prepared and is available for inspection at the treasurer's office and that all persons having claim to any of such moneys are required to prove their claims within the said period of ninety days. Any of such moneys to which a claim has not been established to the satisfaction of the said treasurer or in respect to which an action has not been commenced in court to recover the same within the said period of ninety days shall forthwith be transferred or paid over, as the case may be, as provided in subsection 1, free of and from any and all claims of any person whatsoever.

Application
hereunder
only after
six years.

(3) No part of the moneys mentioned in subsection 1 shall be transferred or paid over under this section until

the same have been in the hands of the said treasurer for a period of at least six years.

Tax sales
and con-
veyances
confirmed.

8.—(1) All sales of land within the township of York made prior to the 31st day of December, 1929, which purport to have been made by the said corporation or by its treasurer for arrears of taxes in respect to the lands so sold are hereby validated and confirmed and all conveyances of land so sold, executed by the reeve and treasurer of the said corporation purporting to convey the said lands so sold to the purchaser thereof or his heirs or assigns or to the said corporation shall have the effect of vesting the lands so sold or conveyed or purporting to be sold or conveyed in the purchaser thereof or his heirs or assigns and his or their heirs and assigns or in the said corporation and its successors and assigns, as the case may be, in fee simple and clear of and free from all right, title and interest whatsoever of the owners thereof at the time of such sale, or their assigns, and all charges and encumbrances thereon and dower therein, except taxes accruing after those for non-payment of which the said lands were sold.

Pending
litigation.

(2) Nothing in this section contained shall affect or prejudice the rights of any person under any action, litigation or other proceedings now pending, but the same may be proceeded with and finally adjudicated upon in the same manner and as fully and effectually as if this Act had not been passed.

1926,
c. 108, s. 7,
amended.

9. Section 3 of *The Township of York Act, 1926* (Chaptered 108), as amended by section 7 of *The Township of York Act, 1930* (chaptered 109) is further amended by striking out the figures "\$5,000" in the fifth line of the said section as amended and inserting in lieu thereof the figures "\$7,500."

Annexation
to Toronto.

10. Subject to the provisions of any general or special Act which may be then in force requiring the assent of the electors of the said township before any part of it is annexed to an adjoining municipality, the Ontario Railway and Municipal Board on the application of the council of the corporation of the city of Toronto or of the council of the corporation of the said township may by order to take effect upon a day to be named therein annex to the city of Toronto the whole of the township of York on such terms and conditions as may be agreed upon between the said councils.

Application
of s. 6a of
Rev. Stat.,
c. 309.

11. Section 6a of *The Weed Control Act* shall apply to the township of York.

Elections of
fire trustees.

12.—(1) The election of fire trustees of fire areas in the said township shall be held by ballot on the same day as

the annual municipal elections in the said township are held and except as is in this section provided, the provisions of *The Municipal Act* respecting the election of municipal councillors shall, *mutatis mutandis*, apply to the election of fire trustees.

Nomination
meeting.

(2) The meeting of the electors in a fire area for nomination of candidates for the office of fire trustee shall be held by the same returning officer on the same day and at the same place as is appointed for holding nomination meeting for candidates for the office of public school trustee of the school section in which such fire area is situate, and immediately following such meeting, except that where a fire area consists of parts of two or more school sections the meeting shall be held by the returning officer and at the place appointed for nomination of candidates for the office of public school trustee in that school section forming part of the fire area which has the largest assessment. Forthwith after the nomination meeting the returning officer shall make returns thereof to the returning officer for the said township and as to whether a poll is required.

Poll.

(3) If a poll is required for the election of fire trustees in a fire area, the clerk of the said township shall prepare a separate set of ballot papers therefor.

Voting
rights.

(4) An elector shall be entitled to vote only for the election of fire trustees for that fire area in which he resides, if qualified to vote there, or, if not qualified there, or, if he is not a resident of the said township, he may vote in that fire area in which he is qualified to vote, as appears from the voters' list.

Who may be
a trustee.

(5) Every person qualified to be elected as a municipal councillor of the said township and who according to the voters' list resides in a fire area shall be qualified to be elected a fire trustee in such fire area.

Term of
office.

(6) The term of office of a fire trustee shall be for three years and until his successor is elected and takes office.

Vacancies.

Rev. Stat.,
c. 233.

(7) A vacancy in the office of a fire trustee shall be filled in the manner provided by *The Municipal Act* with respect to vacancy in the office of an alderman in a city where aldermen are elected by general vote.

Debentures
for water
meters,
accessories,
etc.

13. The council of the said corporation may from time to time, without obtaining the assent of the electors qualified to vote on money by-laws, borrow upon the credit of the corporation by the issue of debentures payable within a term not exceeding ten years such sum or sums as may be necessary

to defray the cost of accessories or appliances for water works or water supply systems or the cost of water meters heretofore or hereafter purchased to be used in any defined section or area of the said township or for the purposes thereof or of water consumers therein, but the whole of the said cost and of meeting the payment of the principal and interest of any such debentures shall be raised by a special rate levied upon all the rateable property in such section or area.

Prescribing
building line
on highways.

14. The council of the said corporation may from time to time by a vote of two-thirds of all the members of the council pass by-laws providing, in the case of any highway or portion of a highway named in the by-law, that no building on land fronting or abutting on such highway or portion thereof shall be erected or placed closer to the line of the highway than a distance to be fixed by the by-law, and it shall not be necessary that the distance shall be the same on all parts of the same highway, and the provisions of every such by-law shall be enforceable in the same way and to the same extent as a by-law passed under the authority of *The Municipal Act*.

Rev. Stat.,
c. 233.

Power to
issue
debentures
for street
railway
deficits.

15. Notwithstanding the provisions of section 4 of an Act respecting the said township passed in 1922, and chaptered 139 as the same has been amended or the provisions of sections 2 and 3 of *The Township of York Act, 1925*, and chaptered 121, or of any other special or general Act, the council of the said corporation may from time to time, without obtaining the assent of the electors qualified to vote on money by-laws, borrow upon the credit of the said corporation by the issue of debentures payable within a term not exceeding twenty years the amounts by which the revenues arising from the operation under the said Acts or either of them of a street railway to serve the inhabitants of any specified district or districts of the said township have failed or may hereafter fail to meet the full cost of such operation including maintenance, renewals, reserves and all capital and debt charges, but the whole of such amounts and of meeting the payment of the principal and interest of any such debentures shall be raised by a special rate imposed and levied upon all the rateable property within such specified district or districts.

By-law
No. 10,442
and
debentures
confirmed.

16. By-law number 10,442 of the said corporation passed on the 12th day of December, 1929 to provide for the borrowing of \$85,821.73 by the issue of debentures to pay for the cost of constructing sewers in and charged against sewerage area number 1 and the debentures issued or to be issued thereunder are hereby ratified and confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof.

By-law
No. 10,575
and
debentures
confirmed.

17. By-law number 10,575 of the said corporation passed on the 24th day of June, 1930, to provide for the borrowing of \$42,823.85 by the issue of debentures to pay for the area's portion of the cost of the construction of service sewers in St. Clair Sewerage Area No. 1 and the debentures issued or to be issued thereunder are hereby ratified and confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof.

By-law
No. 10,627
and
debentures
confirmed.

18. By-law number 10,627 of the said corporation passed on the 31st day of July, 1930, to provide for the borrowing of \$23,219.73 by the issue of debentures to pay for the cost of the construction of certain street gradings and improvements thereon, and the debentures issued or to be issued thereunder are hereby ratified and confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof.

By-law
No. 10,628
and
debentures
confirmed.

19. By-law number 10,628 of the said corporation passed on the 31st day of July, 1930, to provide for the borrowing of \$19,519.94 by the issue of debentures to pay for the cost of the construction of street widenings, extensions and improvements thereon and the debentures issued or to be issued thereunder are hereby ratified and confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof.

By-law
No. 10,659
and
debentures
confirmed.

20. By-law number 10,659 of the said corporation passed on the 9th day of October, 1930, to provide for the borrowing of \$2,331.61 by the issue of debentures to pay for the area's portion of the cost of the construction of service sewers in St. Clair Sewerage Area No. 2, and the debentures issued or to be issued thereunder are hereby ratified and confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof.

By-law
No. 10,726
and
debentures
confirmed.

21. By-law number 10,726 of the said corporation passed on the 15th day of December, 1930, to provide for the borrowing of \$7,950.65 by the issue of debentures to pay for the construction of a twelve inch watermain on Woolner Street and the debentures issued or to be issued thereunder are hereby ratified and confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof.

By-law
No. 10,733
and
debentures
confirmed.

22. By-law number 10,733 of the said corporation passed on the 15th day of December, 1930, to provide for the borrowing of \$5,290.03 by the issue of debentures to pay for the area's portion of the cost of the construction of service sewers in sewerage area number 2 and the debentures issued or to be issued thereunder are hereby ratified and confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof.

By-law
No. 10,776
and
debentures
confirmed.

23. By-law number 10,776 of the said corporation passed on the 22nd day of January, 1931, to provide for the borrowing of \$34,856.44 by the issue of debentures to pay for the cost of the construction of a piled retaining wall and railing along the banks of the Black Creek, and the debentures issued or to be issued thereunder are hereby ratified and confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof.

By-law
No. 10,777
and
debentures
confirmed.

24. By-law number 10,777 of the said corporation passed on the 22nd day of January, 1931, to provide for the borrowing of \$9,914.52 by the issue of debentures to pay for the cost of the widening of certain portions of Vaughan Road, in the township of York and the debentures issued or to be issued thereunder are hereby ratified and confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof.

Commence-
ment of Act.

25. This Act other than section 8 shall come into force on the day upon which it receives the Royal Assent. Section 8 shall come into force on the first day of July, 1931.

An Act respecting the Township of York.

1st Reading

March 2nd, 1931

*2nd Reading**3rd Reading*

MR. CASE

(*Private Bill*)

No. 24

2ND SESSION, 18TH LEGISLATURE, ONTARIO
21 GEORGE V, 1931

BILL

An Act respecting the Township of York.

MR. CASE

TORONTO
PRINTED BY HERBERT H. BALL
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

No 24

1931

BILL

An Act respecting the Township of York.

Preamble.

WHEREAS the corporation of the township of York has by its petition prayed for special legislation in regard to the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Township of York Act, 1931*.

Annexation
of part of
Forest Hill.

2.—(1) The lands hereinafter described, namely:

All and singular that certain parcel or tract of land and premises now situate, lying and being in the village of Forest Hill in the county of York and Province of Ontario and being composed of part of the original allowance for road known as Eglinton Avenue lying between township lots 26, 27 and 28 of concession III from the Bay and township lot 1 in the second concession west of Yonge Street all as shown on the plan of the original township of York; which said parcel may be more particularly described as follows: commencing at a point of intersection of the south limit of the said original allowance for road known as Eglinton Avenue with the centre line of the sideroad, known as Bathurst Street, lying between township lots 25 and 26 in the said concession III from the Bay; thence northerly along the northerly production of the centre line of the said Bathurst Street a distance of thirty-three feet (33') to the centre line of the said original allowance for road known as Eglinton Avenue; thence westerly along the centre line of the said Eglinton Avenue a distance of three thousand seven hundred and seventy-five feet ten inches (3775' 10'') more or less to the intersection with the southerly extension of the east limit of Lyon Avenue as shown on a plan registered in the registry office for the east and west ridings of the county of York at Toronto and numbered 1493; thence southerly along the southerly production

of the east limit of the said Lyon Avenue thirty-three feet (33') more or less to the point of intersection with the south limit of the said original allowance for road known as Eglinton Avenue; thence easterly along the south limit of the village of Forest Hill as set out in by-law 1381 of the county of York passed on the 15th day of December, 1923, to the point of commencement,

now forming part of the village of Forest Hill are hereby detached therefrom and are annexed to and hereafter shall form part of the Township of York.

(2) Such annexation shall be deemed to have taken place and shall have effect on from and after the first day of January, 1931. Effective date.

(3) There shall be no adjustment of assets and liabilities between the corporations of the said township and village consequent upon such annexation. No adjustments to be made.

3.—(1) Notwithstanding the provisions of *The Assessment Act* the council of the corporation of the township of York may by by-law provide for taking the assessment of income between the first day of January and the fifteenth day of March in the year 1931, the rolls for such income assessment in such case being returnable to the clerk on or before the first day of April, 1931. Period for assessment of income. Rev. Stat., c. 238.

(2) Any such by-law shall provide for holding of a court of revision for hearing appeals from any assessment of income in manner provided by *The Assessment Act* upon the return of such assessment roll to the clerk. The time for appeal to the court of revision shall be within ten days after the last day fixed for return of the said roll and the time for appealing from the court of revision to the county judge shall be within three days after the decision of the court of revision is given. Appeals from income assessment. Rev. Stat., c. 238.

(3) The assessment of income so made and completed in the year 1931, whether or not it is completed by the time herein provided, shall upon its final revision be the assessment of income on which the rate of taxation of income for such year shall be levied by the said council. Income tax levy for current year.

4. Section 3 shall be read and construed as having effect on, from and after the first day of January, 1931. Effective date.

5.—(1) The unclaimed moneys which now are or hereafter may be in the hands of the treasurer of the said township arising from duplicate payments of taxes and surplus moneys from tax sales may from time to time be transferred to and shall thereupon form part of the general funds of the said

corporation, provided that any portion of the said moneys received in respect to lands now forming part of another municipality shall be paid over to the treasurer of such municipality (less its proportion of the cost of advertising, administering and transferring such moneys), to be used as the council of such municipality may direct.

Notice to persons to establish claims before application of such moneys.

(2) No such moneys shall be transferred or paid over until ninety days after the treasurer of the said township shall have inserted in two of the daily newspapers published in the city of Toronto a notice that a list with particulars of such unclaimed moneys has been prepared and is available for inspection at the treasurer's office and that all persons having claim to any of such moneys are required to prove their claims within the said period of ninety days. Any of such moneys to which a claim has not been established to the satisfaction of the said treasurer or in respect to which an action has not been commenced in court to recover the same within the said period of ninety days shall forthwith be transferred or paid over, as the case may be, as provided in subsection 1, free of and from any and all claims of any person whatsoever.

Application hereunder only after six years.

(3) No part of the moneys mentioned in subsection 1 shall be transferred or paid over under this section until the same have been in the hands of the said treasurer for a period of at least six years.

Tax sales and conveyances confirmed.

6.—(1) All sales of land within the township of York made prior to the 31st day of December, 1929, which purport to have been made by the said corporation or by its treasurer for arrears of taxes in respect to the lands so sold are hereby validated and confirmed and all conveyances of land so sold, executed by the reeve and treasurer of the said corporation purporting to convey the said lands so sold to the purchaser thereof or his heirs or assigns or to the said corporation shall have the effect of vesting the lands so sold or conveyed or purporting to be sold or conveyed in the purchaser thereof or his heirs or assigns and his or their heirs and assigns or in the said corporation and its successors and assigns, as the case may be, in fee simple and clear of and free from all right, title and interest whatsoever of the owners thereof at the time of such sale, or their assigns, and all charges and encumbrances thereon and dower therein, except taxes accruing after those for non-payment of which the said lands were sold.

Pending litigation.

(2) Nothing in this section contained shall affect or prejudice the rights of any person under any action, litigation or other proceedings now pending, but the same may be proceeded with and finally adjudicated upon in the same

manner and as fully and effectually as if this Act had not been passed.

7. Section 3 of *The Township of York Act, 1926* (Chaptered 108), as amended by section 7 of *The Township of York Act, 1930* (chaptered 109) is further amended by striking out the figures "\$5,000" in the fifth line of the said section as amended and inserting in lieu thereof the figures "\$7,500." 1926, c. 108, s. 7, amended.

8. Subject to the provisions of any general or special Act which may be then in force requiring the assent of the electors of the said township before any part of it is annexed to an adjoining municipality, the Ontario Railway and Municipal Board on the application of the council of the corporation of the city of Toronto or of the council of the corporation of the said township may by order to take effect upon a day to be named therein annex to the city of Toronto the whole of the township of York on such terms and conditions as may be agreed upon between the said councils. Annexation to Toronto.

9. Section 6a of *The Weed Control Act* shall apply to the township of York. Application of s. 6a of Rev. Stat., c. 309.

10. The council of the said corporation may from time to time, without obtaining the assent of the electors qualified to vote on money by-laws, borrow upon the credit of the corporation by the issue of debentures payable within a term not exceeding ten years such sum or sums as may be necessary to defray the cost of water meters or parts thereof heretofore or hereafter purchased to be used in any defined section or area of the said township or for the purposes thereof or of water consumers therein, and the whole of the said cost and of meeting the payment of the principal and interest of any such debentures shall be raised from water rates, but if at any time the moneys accruing from the said water rates shall prove insufficient for the purposes aforesaid, then, when and so often as the said deficiency shall occur, there shall be raised, levied and collected by the said corporation, by a special rate upon all the rateable property in such section or area, according to the then last revised assessment roll thereof, a sum sufficient to make good such deficiency. Debentures for water meters.

11. The council of the said corporation may from time to time by a vote of two-thirds of all the members of the council pass by-laws providing, in the case of any highway or portion of a highway named in the by-law, that no building on land fronting or abutting on such highway or portion thereof shall be erected or placed closer to the line of the highway than a distance to be fixed by the by-law, and it shall not be necessary that the distance shall be the same on Prescribing building line on highways.

Rev. Stat.,
c. 233.

all parts of the same highway, and the provisions of every such by-law shall be enforceable in the same way and to the same extent as a by-law passed under the authority of *The Municipal Act*; provided that no such by-law shall have any force or effect until the same is approved by the Ontario Railway and Municipal Board.

Power to
issue
debentures
for street
railway
deficits.

12. Notwithstanding the provisions of section 4 of an Act respecting the said township passed in 1922, and chaptered 139 as the same has been amended or the provisions of sections 2 and 3 of *The Township of York Act, 1925*, and chaptered 121, or of any other special or general Act, the council of the said corporation may from time to time, without obtaining the assent of the electors qualified to vote on money by-laws, borrow upon the credit of the said corporation by the issue of debentures payable within a term not exceeding twenty years the amounts by which the revenues arising from the operation under the said Acts or either of them of a street railway to serve the inhabitants of any specified district or districts of the said township have failed or may hereafter up until and including the year 1935 fail to meet the full cost of such operation including maintenance, renewals, reserves and all capital and debt charges, but the whole of such amounts and of meeting the payment of the principal and interest of any such debentures shall be raised by a special rate imposed and levied upon all the rateable property within such specified district or districts.

By-law
No. 10,442
and
debentures
confirmed.

13. By-law number 10,442 of the said corporation passed on the 12th day of December, 1929 to provide for the borrowing of \$85,821.73 by the issue of debentures to pay for the cost of constructing sewers in and charged against sewerage area number 1 and the debentures issued or to be issued thereunder are hereby ratified and confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof.

By-law
No. 10,575
and
debentures
confirmed.

14. By-law number 10,575 of the said corporation passed on the 24th day of June, 1930, to provide for the borrowing of \$42,823.85 by the issue of debentures to pay for the area's portion of the cost of the construction of service sewers in St. Clair Sewerage Area No. 1 and the debentures issued or to be issued thereunder are hereby ratified and confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof.

By-law
No. 10,627
and
debentures
confirmed.

15. By-law number 10,627 of the said corporation passed on the 31st day of July, 1930, to provide for the borrowing of \$23,219.73 by the issue of debentures to pay for the cost of the construction of certain street gradings and improvements thereon, and the debentures issued or to be issued

thereunder are hereby ratified and confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof.

16. By-law number 10,628 of the said corporation passed on the 31st day of July, 1930, to provide for the borrowing of \$19,519.94 by the issue of debentures to pay for the cost of the construction of street widenings, extensions and improvements thereon and the debentures issued or to be issued thereunder are hereby ratified and confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof.

By-law
No. 10,628
and
debentures
confirmed.

17. By-law number 10,659 of the said corporation passed on the 9th day of October, 1930, to provide for the borrowing of \$2,331.61 by the issue of debentures to pay for the area's portion of the cost of the construction of service sewers in St. Clair Sewerage Area No. 2, and the debentures issued or to be issued thereunder are hereby ratified and confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof.

By-law
No. 10,659
and
debentures
confirmed.

18. By-law number 10,726 of the said corporation passed on the 15th day of December, 1930, to provide for the borrowing of \$7,950.65 by the issue of debentures to pay for the construction of a twelve inch watermain on Woolner Street and the debentures issued or to be issued thereunder are hereby ratified and confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof.

By-law
No. 10,726
and
debentures
confirmed.

19. By-law number 10,733 of the said corporation passed on the 15th day of December, 1930, to provide for the borrowing of \$5,290.03 by the issue of debentures to pay for the area's portion of the cost of the construction of service sewers in sewerage area number 2 and the debentures issued or to be issued thereunder are hereby ratified and confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof.

By-law
No. 10,733
and
debentures
confirmed.

20. By-law number 10,776 of the said corporation passed on the 22nd day of January, 1931, to provide for the borrowing of \$34,856.44 by the issue of debentures to pay for the cost of the construction of a piled retaining wall and railing along the banks of the Black Creek, and the debentures issued or to be issued thereunder are hereby ratified and confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof.

By-law
No. 10,776
and
debentures
confirmed.

21. By-law number 10,777 of the said corporation passed on the 22nd day of January, 1931, to provide for the borrowing of \$9,914.52 by the issue of debentures to pay for the cost of the widening of certain portions of Vaughan Road, in the

By-law
No. 10,777
and
debentures
confirmed.

township of York and the debentures issued or to be issued thereunder are hereby ratified and confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof.

22. This Act other than section 6 shall come into force on the day upon which it receives the Royal Assent. Section 6 shall come into force on the 1st day of July, 1931.

Commence-
ment of Act.

BILL

An Act respecting the Township of York.

1st Reading

March 2nd, 1931

2nd Reading

April 1st, 1931

3rd Reading

April 1st, 1931

MR. CASE

2ND SESSION, 18TH LEGISLATURE, ONTARIO
21 GEORGE V, 1931

BILL

An Act respecting the Township of East York.

MR. CASE

(PRIVATE BILL)

No. 25

1931

BILL

An Act respecting the Township of East York.

Preamble.

WHEREAS the corporation of the township of East York has by its petition prayed for special legislation in regard to the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Township of East York Act, 1931*.

1926, c. 106,
s. 2, subs. 2,
amended.

2. Subsection 2 of section 2 of *The Township of East York Act, 1926*, is amended by striking out the figures "1931" in the second line and substituting therefor the figures "1936."

Housing
commission.

3. The housing commission of the municipality of the township of East York may, with the consent of the council of the said corporation, from time to time sell or otherwise dispose of houses erected by or vested in or controlled by the said commission to such purchasers, at such prices, at such times and upon such terms as it may deem expedient.

By-law
No. 2112,
confirmed.

4. By-law number 2112 of the said corporation passed on the 23rd day of February, 1931, and set out as schedule "A" hereto, is confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof.

Commence-
ment of Act.

5. This Act shall come into force on the day upon which it receives the Royal Assent.

SCHEDULE "A"
TOWNSHIP OF EAST YORK
By-Law No. 2112

To amend By-law Number 1243, entitled "A By-law for the purpose of dividing the Township into industrial, business and residential areas, and restricting the user of land and buildings within the defined areas."

Whereas it is deemed expedient that By-law No. 1243, as amended by By-laws Nos. 1347, 1518 and 1859, being a by-law for the purpose of dividing the township into industrial, business and residential areas and restricting the user of lands and buildings within the defined areas, be further amended;

Be it therefore enacted by the Municipal Council of the Corporation of the Township of East York as follows:

1. That clause 2 of By-law No. 1243 be repealed and the following substituted therefor:

"2. In the residential area no building shall be erected upon any lot or used for any purpose other than as a detached or semi-detached or duplex or apartment dwelling house, except that private garages for the exclusive use of the occupants of any such dwelling house may be constructed or used in rear thereof."

2. That clause 4 of By-law No. 1243 be amended by striking out the words "for use" in the first line thereof, and substituting therefor the words "or used" so that the clause will now read:

"4. No building shall be erected or used for business purposes within the business area herein defined unless the same be entirely constructed of solid brick, stone or other fireproof material, and all dwelling houses erected therein must be of the same fireproof construction to the height of one storey."

This section shall not apply to prevent the continued use for business purposes of any building which was erected for such use prior to the 9th day of January, 1928, so long as such building is not altered, notwithstanding that the same is not entirely constructed of solid brick, stone or other fireproof material.

Enacted and passed: February 23rd, 1931.

"W. H. HEATON,"

Clerk.

(Seal)

"R. M. LESLIE,"

Reeve.

. BILL

An Act respecting the Township of
East York.

1st Reading

2nd Reading

3rd Reading

MR. CASE

(Private Bill)

No. 25

2ND SESSION, 18TH LEGISLATURE, ONTARIO
21 GEORGE V, 1931

BILL

An Act respecting the Township of East York.

MR. CASE

BILL

An Act respecting the Township of East York.

Preamble.

WHEREAS the corporation of the township of East York has by its petition prayed for special legislation in regard to the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Township of East York Act, 1931*.

1926, c. 106,
s. 2, subs. 2,
amended.

2. Subsection 2 of section 2 of *The Township of East York Act, 1926*, is amended by striking out the figures "1931" in the second line and substituting therefor the figures "1936."

Housing
commission.

3. The housing commission of the municipality of the township of East York may, with the consent of the council of the said corporation, from time to time sell or otherwise dispose of houses erected by or vested in or controlled by the said commission to such purchasers, at such prices, at such times and upon such terms as it may deem expedient.

By-law
No. 2112,
confirmed.

4. By-law number 2112 of the said corporation passed on the 23rd day of February, 1931, and set out as schedule "A" hereto, is confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof.

Commence-
ment of Act.

5. This Act shall come into force on the day upon which it receives the Royal Assent.

SCHEDULE "A"
TOWNSHIP OF EAST YORK
By-Law No. 2112

To amend By-law Number 1243, entitled "A By-law for the purpose of dividing the Township into industrial, business and residential areas, and restricting the user of land and buildings within the defined areas."

Whereas it is deemed expedient that By-law No. 1243, as amended by By-laws Nos. 1347, 1518 and 1859, being a by-law for the purpose of dividing the township into industrial, business and residential areas and restricting the user of lands and buildings within the defined areas, be further amended;

Be it therefore enacted by the Municipal Council of the Corporation of the Township of East York as follows:

1. That clause 2 of By-law No. 1243 be repealed and the following substituted therefor:

"2. In the residential area no building shall be erected upon any lot or used for any purpose other than as a detached or semi-detached or duplex or apartment dwelling house, except that private garages for the exclusive use of the occupants of any such dwelling house may be constructed or used in rear thereof."

2. That clause 4 of By-law No. 1243 be amended by striking out the words "for use" in the first line thereof, and substituting therefor the words "or used" so that the clause will now read:

"4. No building shall be erected or used for business purposes within the business area herein defined unless the same be entirely constructed of solid brick, stone or other fireproof material, and all dwelling houses erected therein must be of the same fireproof construction to the height of one storey."

This section shall not apply to prevent the continued use for business purposes of any building which was erected for such use prior to the 9th day of January, 1928, so long as such building is not altered, notwithstanding that the same is not entirely constructed of solid brick, stone or other fireproof material.

Enacted and passed: February 23rd, 1931.

"W. H. HEATON,"

Clerk.

(Seal)

"R. M. LESLIE,"

Reeve.

BILL

An Act respecting the Township of
East York.

1st Reading

February 17th, 1931

2nd Reading

March 4th, 1931

3rd Reading

March 13th, 1931

Mr. CASE

No. 26

2ND SESSION, 18TH LEGISLATURE, ONTARIO
21 GEORGE V, 1931

BILL

An Act respecting the Algoma Central Railway.

MR LYONS

(PRIVATE BILL)

TORONTO
PRINTED BY HERBERT H. BALL
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

BILL

An Act respecting the Algoma Central Railway.

Preamble.

R.S.C.,
c. 27.

Rev. Stat.,
c. 218.

WHEREAS The Algoma Central and Hudson Bay Railway Company, a company duly incorporated by special Act of the Parliament of Canada, having its head office at the city of Sault Ste. Marie, has constructed a line of railway from the said city to Hearst on the Canadian National Railway, in the Province of Ontario, and a branch line thereof running southwesterly to Michipicoten Harbour in the said province; and whereas the said railway company owns all of the issued capital stock of Algoma Central Terminals, Limited, a company duly incorporated under the *Companies Act* of the Dominion of Canada, having its head office at the said city of Sault Ste. Marie and the said terminals company owns certain lands and premises, buildings, machinery, plant and equipment all situate in the Province of Ontario, and has leased the same, as well as after acquired property, to the said railway company for terminal facilities for a period of nine hundred and ninety-nine (999) years upon the terms and conditions set forth in a lease bearing date November 1st, 1912; and whereas The Lake Superior Corporation, a corporation organized under the laws of the State of New Jersey, one of the United States of America, owns all of the issued common stock of the said railway company and also owns all the issued capital stock of Algoma Steel Corporation Limited, a company duly incorporated under *The Companies Act* (Ontario) and carrying on the businesses of manufacturing and selling steel and other kindred products and other allied businesses in and about the said city of Sault Ste. Marie; and whereas the said railway company has made an issue of first mortgage 5 per cent. fifty-year gold bonds, and \$10,080,000 principal amount whereof or its equivalent in other currencies are now outstanding, secured by trust deed in favour of United States Mortgage and Trust Company as trustee, dated July 1st, 1910, and in and by the said trust deed and the said bonds The Lake Superior Corporation has guaranteed the due payment of the principal and interest of such bonds; and whereas the said railway company has made an issue of second mortgage

6 per cent. fifty-year gold bonds, secured by trust deed in favour of United States Mortgage and Trust Company as trustee, dated August 14th, 1914, and \$318,800 principal amount of such bonds are now outstanding, all of which are owned by The Lake Superior Corporation; and whereas the said terminals company has made an issue of first mortgage 5 per cent. fifty-year gold bonds, of which £1,025,900 principal amount are now outstanding, secured by a trust deed in favour of United States Mortgage and Trust Company as trustee, dated November 1st, 1912, and in and by the said trust deed and the said bonds The Lake Superior Corporation has guaranteed the due payment of the principal and interest of such bonds; and whereas The Royal Trust Company has been duly appointed trustee under all of said trust deeds in succession to the said former trustees; and whereas in the year 1916, consequent upon receivers having been appointed to the said railway and terminals companies by reason of default having been made by the said railway company in the payment of interest due upon its said bonds and in the payment of the rentals due to the said terminals company under the said lease, and by reason of default having been made by the said terminals company in payment of the interest due upon its said bonds, a scheme of arrangement and compromise was entered into between the said companies and their respective stockholders and bondholders and The Lake Superior Corporation with a view to the settlement of all outstanding questions between the said companies and the reorganization of the said railway company and the discharge of the receivers, which scheme of arrangement was ratified and confirmed by Act of the Parliament of Canada 6-7 Geo. V (1916), chapter 32; and whereas the said scheme of 1916 modified in some respects the provisions of the said trust deeds securing the first and second mortgage bonds of the said railway company and the first mortgage bonds of the said terminals company and the provisions of the lease from the said terminals company to the said railway company, but provided that the guarantee by The Lake Superior Corporation of the principal and interest of the first mortgage bonds of the said railway company and of the said terminals company should remain in full force and effect; and whereas the joint net earnings of the said railway and terminals companies as and from June 1st, 1914, applied in the order of priority established by the said scheme of 1916, have been at all times thereafter insufficient to pay in full the interest on the first mortgage bonds of the said terminals company and have been insufficient to pay in full the interest on the first mortgage bonds of the said railway company, and the arrears of interest accrued on the first mortgage bonds of the railway company amounted on December 1st, 1930 to \$8,013,600 and the arrears of interest on the first mortgage bonds of the said terminals company amounted on February 1st, 1931, to

\$1,759,931; and whereas doubts have arisen whether and to what extent the holders of the first mortgage bonds of the said railway and terminals companies can enforce the guarantee by The Lake Superior Corporation of the principal and interest of the said bonds prior to the respective dates of maturity of such issues of bonds in the years 1960 and 1962; and whereas it is difficult for The Lake Superior Corporation, faced by a contingent future liability the amount of which cannot now be definitely ascertained, to arrange on satisfactory terms any future financing of Algoma Steel Corporation Limited, and the future success of the said railway and terminals companies largely depends upon the success of Algoma Steel Corporation Limited; and whereas by a further scheme of arrangement by and between the said railway company, the said terminals company, the holders of the first mortgage bonds of such companies, and The Lake Superior Corporation prepared with a view to the settlement of all outstanding questions between the said companies and such bondholders, provision has been made *inter alia* for the re-arrangement of the capital structure of the said railway company, the cancellation of the arrears of interest accrued upon the first mortgage bonds of the said railway company and the said terminals company, the cancellation of the arrears of rental accrued and the reduction of future rental under the said lease from the said terminals company to the said railway company, the surrender and cancellation of all such first mortgage bonds and the issue of new five per cent. first mortgage debenture stock and bonds of the said railway and terminals companies, not guaranteed by The Lake Superior Corporation either as to principal or interest; and whereas such new scheme of arrangement has been unanimously approved by extraordinary resolutions adopted at meetings of the holders of the first mortgage bonds of the said railway and terminals companies held in London, England, on January 16th, 1931; and whereas at a special general meeting of the shareholders of the said railway company held at the said city of Sault Ste. Marie on February 17th, 1931, the holders of the preferred and common shares of the said company present or represented at the said meeting, voting separately by classes, unanimously approved of such new scheme of arrangement; and whereas the directors of The Lake Superior Corporation by resolution unanimously adopted at a meeting of such directors held at the city of Montreal on the 19th day of December, 1930, have approved of the new scheme of arrangement; and whereas, pursuant to the terms of such new scheme of arrangement, a new company known as Algoma Consolidated Corporation Limited has been duly incorporated under the *Companies Act* of the Dominion of Canada and the holders of over seventy-five per cent. of the presently outstanding capital stock of The Lake Superior Corporation have deposited their shares for exchange for shares of preferred

and common stock of the new company on the basis set forth in the scheme, thereby evidencing their approval of the scheme; and whereas pursuant to the terms of such new scheme of arrangement the committee constituted by the scheme of 1916 to represent the holders of the first mortgage bonds of the said railway and terminals companies has required that an Act of the Legislature of the Province of Ontario be obtained confirming such new scheme of arrangement; and whereas the said railway and terminals companies and The Lake Superior Corporation have petitioned that the said new scheme of arrangement be ratified and confirmed by Act of the Legislature of the Province of Ontario, and have prayed that it be enacted as hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Algoma Central Railway Act, 1931*.

Scheme of arrangement confirmed.

2. The scheme of arrangement set out in schedule "A" to this Act is hereby ratified and confirmed and declared to be valid and binding upon The Algoma Central and Hudson Bay Railway Company, Algoma Central Terminals, Limited, the respective shareholders and bondholders of the said companies, the present and former trustees of the trust deeds securing the first mortgage bonds of the said companies, The Lake Superior Corporation and all other persons having any interest under the said trust deeds or directly or indirectly affected by the said scheme of arrangement in all respects whatsoever as fully and to the same extent as if the said scheme of arrangement and each and every clause thereof were set out at length and enacted in this Act and the said companies and the present trustees of the said trust deeds are hereby authorized and empowered to do and perform all acts, matters and things and to execute and deliver all documents necessary to give full effect to the said scheme of arrangement.

Commencement of Act.

3. This Act shall come into force on the day upon which it receives the Royal Assent.

SCHEDULE "A"

THE ALGOMA CENTRAL AND HUDSON BAY
RAILWAY COMPANYALGOMA CENTRAL TERMINALS, LIMITED
(Incorporated under the Laws of Canada)

SCHEME OF ARRANGEMENT

BETWEEN THE ABOVE COMPANIES, THE HOLDERS OF THE FIVE PER CENT.
FIRST MORTGAGE GOLD BONDS ISSUED BY SUCH COMPANIES
AND THE LAKE SUPERIOR CORPORATION

PRELIMINARY

1. The Loan and Share Capital of THE ALGOMA CENTRAL AND HUDSON BAY RAILWAY COMPANY (hereinafter referred to as "the Railway Company") is as follows:—

LOAN CAPITAL:

5 per cent. First Mortgage 50-Year Gold Bonds.....\$10,080,000
(Hereafter called "the existing Railway Bonds").

Guaranteed as to principal and interest by The Lake Superior Corporation.

6 per cent. Second Mortgage 50-Year Gold Bonds..... 318,800
(All held by The Lake Superior Corporation).

There are also outstanding \$288,000 of Equipment Trust Notes which have been guaranteed by the railway company as to principal and interest.

ISSUED SHARE CAPITAL:

5 per cent. Non-Cumulative Preference Stock..... 5,000,000
(Held as to 60 per cent. on trust by the Committee below referred to, and as to 40 per cent. by other parties).

Common Stock..... 5,000,000
(All owned by The Lake Superior Corporation but with the exception of Directors' qualification shares, held by the Committee below mentioned for voting purposes).

2. The Loan and Share Capital of ALGOMA CENTRAL TERMINALS, LIMITED (hereinafter referred to as "the Terminal Company") is as follows:—

LOAN CAPITAL:

5 per cent. First Mortgage 50-Year Gold Bonds..... £1,025,900
(Hereafter called "the existing Terminal Bonds").

Guaranteed as to principal and interest by The Lake Superior Corporation.

ISSUED SHARE CAPITAL:

Common Stock..... \$100,000
(Owned by the Railway Company but with the exception of Directors' qualification shares, held by the Committee below mentioned for voting purposes).

3. By a Scheme of Arrangement approved by the holders of the Railway and Terminal Bonds and by The Lake Superior Corporation, and ratified by an Act of the Canadian Parliament in 1916 (hereinafter referred to as "the Scheme of 1916") it was provided (*inter alia*):—

(i) That as from the 1st June, 1914, the joint net earnings as therein defined of the Railway and Terminal Companies in each year should be applied to the following purposes and in the following order of priority:—

(a) In paying to the Terminal Bondholders interest at the rate of 3 per cent. per annum on the existing Terminal Bonds for the year in question and interest at the like rate for any preceding year or years so far as interest thereon to that amount should not have been paid in respect of any such preceding year or years and in recouping to capital account any amounts expended out of capital after the 1st August, 1921, in payment of such interest.

(b) In paying interest up to 2 per cent. per annum for the year in question to the Railway Bondholders and interest up to a further 2 per cent. per annum for the year in question to the Terminal Bondholders on their respective holdings of existing Railway and Terminal Bonds *pari passu* as if they were one class of bond.

(c) In paying interest up to a further 3 per cent. per annum for the year in question to the Railway Bondholders on their existing Railway Bonds.

(d) In paying to the Railway Bondholders and the Terminal Bondholders any arrears of interest up to 5 per cent. per annum on their respective holdings of existing Railway and Terminal Bonds *pari passu* in proportion to the amount of the outstanding arrears on each issue.

(e) In providing the sinking fund for the existing Terminal Bonds for the year in question.

(f) In paying to the holders of the existing Railway Bonds further interest up to 1 per cent. per annum for the year in question and to the holders of the existing Terminal Bonds further interest up to one-half per cent. per annum for the year in question *pari passu* as if they were one class of Bond.

(ii) That after the 1st August, 1921, 1½ per cent. should be paid upon the existing Terminal Bonds in each half year, whether or not the joint net earnings might be sufficient to pay the same, and that any interest on the existing Railway Bonds or the existing Terminal Bonds not paid in any year should be cumulative and carried forward to subsequent years, but that, subject as aforesaid, the interest on the said issues of existing Bonds should only be payable if and to the extent that the joint net earnings were sufficient to pay the same.

(iii) That the guarantee by The Lake Superior Corporation of the principal and interest of the existing Railway Bonds and the existing Terminal Bonds should remain in full force and effect notwithstanding the Scheme of 1916 and that The Lake Superior Corporation should not be entitled to set up in answer to a claim under the said guarantee the fact that the interest on the said Bonds was under the Scheme as between the Bondholders and the Railway and Terminal Companies only payable out of joint net earnings but that no holder of existing Railway or Terminal Bonds should be entitled to take any steps to enforce the guarantee endorsed upon his Bonds without the written consent of the Bondholders' Committee below mentioned or the sanction of Extraordinary Resolutions of both the Railway and Terminal Bondholders passed at meetings of such Bondholders.

(iv) That a Bondholders' Committee (hereafter referred to as "the Committee") not exceeding five members should be constituted of whom three were to form a quorum and that the voting rights attached to the Stock of the Railway Company held by The Lake Superior Corporation and to the Stock of the Terminal Company held by the Railway Company should be vested in the Committee so long as the Committee should remain in existence.

(v) That \$3,000,000 of Preference Stock of the Railway Company (representing 60 per cent. of the whole) should be issued as fully paid to the Committee or their nominees to be held by them as Trustees for the benefit of the Railway and Terminal Bondholders.

NOTE.—This Stock is held by the Committee on the terms of a Deed Poll, dated 26th January, 1917 and is represented by Trust Certificates which were issued by the Committee and distributed to the Railway and Terminal Bondholders in 1917.

4. The total arrears of interest accrued on the existing Railway and Terminal Bonds are as follows:—

Railway Bonds to 1st December, 1930.....	\$8,013,600
Terminal Bonds to 1st February, 1931.....	1,759,931

Under the Scheme of 1916 these arrears rank as follows:—

First, there is payable to the Terminal Bondholders....	249,636
The balance of the arrears due to the Railway and Terminal Bondholders rank <i>pari passu</i> according to the amount of the arrears outstanding but before payment of such arrears there must be recouped to capital account in refund of interest on the existing Terminal Bonds paid out of capital.....	622,240

These arrears are at present accumulating at the rate of \$504,000 per annum on the existing Railway Bonds and \$99,854 per annum on the existing Terminal Bonds.

5. The Capital of THE LAKE SUPERIOR CORPORATION is as follows:—

LOAN CAPITAL:

First Mortgage Collateral Trust 5 per cent. Bonds.....	\$5,278,000
The principal security for these Bonds is the deposit with Trustees of \$5,800,000 five per cent. Purchase Money Bonds of the Algoma Steel Corporation, Limited.	

ISSUED SHARE CAPITAL:

Common Stock (no par value shares).....	400,000 shares
(Part of a total of 800,000 shares authorized).	

6. The Lake Superior Corporation has guaranteed principal and interest on the following Bonds in addition to the existing Railway and Terminal Bonds:—

First and Refunding Mortgage 5 per cent. Gold Bonds of the Algoma Steel Corporation Limited.

First Mortgage 5 per cent. Bonds of the Algoma Eastern Railway Company.

(The obligation of The Lake Superior Corporation under the guarantee of the latter Bonds has been assumed by the Canadian Pacific Railway Company).

7. The principal assets of The Lake Superior Corporation are its holdings in the Algoma Steel Corporation Limited (in which it owns the whole of the issued Share Capital and \$5,800,000 of 5 per cent. Purchase Money Bonds) and certain cash and investments (including advances to the Steel Company) representing the proceeds of the sale to the Canadian Pacific Railway Company at \$110 per \$100 share of the Shares in the Algoma Eastern Railway Company formerly held by The Lake Superior Corporation.

8. It is recognized by all parties that the success of the Railway and Terminal Companies is mainly dependent upon the success of the Algoma Steel Corporation Limited.

9. The Capital of the ALGOMA STEEL CORPORATION LIMITED (hereinafter referred to as "the Steel Company") is as follows:—

LOAN CAPITAL:

5 per cent. Purchase Money Bonds.....	\$5,800,000
(Deposited as collateral as above-mentioned).	
First and Refunding Mortgage 5 per cent. Gold Bonds (outstanding).....	14,442,680
(Authorized issue \$30,000,000).	

NOTE.—The Purchase Money Bonds of the Steel Company rank as a first charge on a part of the assets of the Steel Company. Subject thereto, the First and Refunding Bonds of the Steel Company are a first charge on the whole of the assets of the Steel Company.

ISSUED SHARE CAPITAL:

7 per cent. Cumulative Preference Stock.....	\$10,000,000
Common Stock.....	15,000,000
(The whole of the Share Capital is held by The Lake Superior Corporation with the exception of Directors' qualification shares).	

SCHEME OF ARRANGEMENT

1. The Terminal Company shall realize the \$900,000 of Bonds and \$99,300 of Shares of the Algoma Eastern Terminals Limited held by it and forming part of the security for the existing Terminal Bonds and convert the same into cash and shall apply the cash so raised and the cash to be received from the Railway Company as mentioned in Clause 4 hereof and the necessary additional sum of cash (if any) out of the Terminal Company's own resources in redeeming at 70 per cent. of par 40 per cent. of the principal amount of each existing Terminal Bond outstanding. Each Terminal Bondholder shall accept such payment in full satisfaction of 40 per cent. of the principal amount of the Bonds held by him. Payment as aforesaid will become due within 60 days of the date upon which this Scheme becomes operative and shall be made against surrender of the Bonds for exchange under the terms of this Scheme payment in the case of Bonds surrendered for exchange in London, England, being made in sterling and in the case of Bonds surrendered for exchange in Canada in Canadian Dollars, sterling being converted into dollars and *vice versa* at the fixed rate of exchange of \$4.8665 to the £.

2. The Terminal Company shall create a new issue of Debenture Stock and Bonds to be called 5 per cent. First Mortgage Debenture Stock and Bonds (hereafter referred to as "the New Terminal Securities") such Securities to carry interest, be redeemable and be secured in accordance with and confer the rights and privileges specified in Clause 16 hereof.

3. Upon this Scheme becoming operative the holders of the existing Terminal Bonds shall be bound to surrender to the Terminal Company at places in London and Canada to be fixed by the Committee their existing Terminal Bonds and all coupons (other than coupons numbered 1 to 22, inclusive and any further coupon or coupons that may have been declared payable before this Scheme becomes operative) and to accept in exchange therefor and for all arrears of interest on the said Bonds new Terminal Securities for a nominal amount equivalent to the principal amount of the Bonds so surrendered after deducting therefrom the 40 per cent. of the principal amount of such Bonds which is to be redeemed as provided in Clause 1 hereof.

4. The Railway Company shall within 30 days after this Scheme becomes operative pay to the Terminal Company \$100,000 in cash and in consideration thereof (a) the rent payable by the Railway Company under the lease of the Terminal properties shall as from the date on which this Scheme becomes operative be reduced by 40 per cent. and all arrears of rent accrued under such lease up to the date on which the Scheme becomes

operative shall be cancelled and (b) the Terminal Company shall transfer to the Railway Company freed from the mortgage and charge securing the existing Terminal Bonds the whole of the properties of the Terminal Company at and near Michipicoten.

5. A new Company to be called Algoma Consolidated Corporation Ltd., or by some other name approved by the Directors of The Lake Superior Corporation shall be formed under the Laws of Canada or of one of the Provinces thereof (hereafter called "the Holding Company") which shall be capitalized as follows:—

\$2,000,000, 7 per cent. Cumulative Preferred Stock.

800,000 Shares of no par value (of which the initial issue under this Scheme will be 600,000 Shares).

The Holding Company shall also create an issue of 5 per cent. Cumulative Income Debenture Stock and Bonds. The Income Debenture Stock and Bonds of the Holding Company shall carry interest, be redeemable and be secured in accordance with and confer the rights and privileges specified in Clause 17 of this Scheme and the Preferred Stock of the Holding Company shall confer the rights and privileges specified in Clause 18 of this Scheme.

6 (a). The Railway Company shall create a new issue of Debenture Stock and Bonds to be called 5 per cent. First Mortgage Income Debenture Stock and Bonds (hereafter referred to as "the New Railway Securities") which shall carry interest, be redeemable and be secured in accordance with and confer the rights and privileges specified in Clause 15 of this Scheme.

(b) The present Preference and Common Share capital of the Railway Company shall be reorganized and reduced as follows, viz.: The \$5,000,000 of 5 per cent. Non-Cumulative Preference Stock shall be reduced to \$500,000 of 5 per cent. Non-Cumulative Non-voting Preference Stock redeemable at the option of the Railway Company in whole or part on three months' notice at par and the \$5,000,000 of Common Stock shall be converted into 420,755 shares of \$10 each.

7. Upon this Scheme becoming operative the holders of the existing Railway Bonds shall be bound to surrender at places in London and Canada to be fixed by the Committee their existing Railway Bonds and all coupons (other than coupons Nos. 1 and 2) and to accept in exchange for each £100, \$500 or francs 2,575 of the nominal amount of the Bonds so surrendered and all arrears of interest on such Bonds:—

(a) \$300 of the New Railway Securities referred to in Clause 6 of this Scheme;

(b) \$150 of the Income Debenture Stock and Bonds of the Holding Company referred to in Clause 5 of this Scheme;

(c) Trust Certificates to be issued as referred to in Clause 11 of this Scheme representing 10 Shares of the Common Stock of the Railway Company when reorganized as provided in Clause 6 (b) of this Scheme;

(d) Trust Certificates to be issued as referred to in Clause 12 of this Scheme representing 1/20617 of 200,000 Shares of Common Stock of the Holding Company;

and so in proportion for any Bond of larger or smaller nominal amount.

8 (a). The Holding Company shall offer to the Shareholders in The Lake Superior Corporation the right to exchange each Common Share of no par value in The Lake Superior Corporation held by them respectively for \$5 par value of Preferred Stock and 1 Common Share of no par value of the Holding Company.

(b) The Holding Company shall at the request of The Lake Superior Corporation and at the direction of the Railway Company issue to the holders of existing Railway Bonds the Income Debenture Stock and Bonds

referred to in Clause 7 (b) hereof and to the Trustee referred to in Clause 12 hereof 200,000 Common Shares of no par value in the Holding Company as fully paid and in consideration of the issue of such Income Debenture Stock and Bonds the Railway Company shall issue to the Holding Company New Railway Securities to a nominal amount of \$4,123,400.

9. In consideration of the holders of the existing Railway and Terminal Bonds agreeing to this Scheme The Lake Superior Corporation shall transfer and the Committee at the request of The Lake Superior Corporation shall transfer to the Trustee specified in Clause 11 of this Scheme 420,755 Shares of the Common Stock of the Railway Company when reorganized as provided in Clause 6 (b) of this Scheme to be held on the trusts and conditions therein referred to.

10. As consideration to the Holding Company for the issue of the Common Shares referred to in Clause 8 (b) hereof The Lake Superior Corporation shall transfer or procure to be issued to the Holding Company the following assets:—

(a) Trust Certificates representing 214,585 Shares of Common Stock of the Railway Company when reorganized as provided in Clause 6 (b) hereof;

(b) \$318,800 Second Mortgage 6 per cent. Bonds of the Railway Company;

(c) One-third of the entire interest of The Lake Superior Corporation in The Northern Ontario Lands Corporation, Limited;

(d) One-third of the cash proceeds of sale of the Shares of Algoma Eastern Railway Company or of the investments including advances to the Steel Company representing such proceeds at the date of transfer;

(e) One-third of the entire issued Share Capital of the Steel Company.

10a. As further consideration for the part taken by the Holding Company in carrying out this Scheme, The Lake Superior Corporation shall pay to the Holding Company in each year a sum of \$100,000 or such less sum as shall represent the net earnings received by The Lake Superior Corporation in that year in the event of such net earnings being less than \$100,000, provided that such obligation by The Lake Superior Corporation to make such payments to the Holding Company shall cease as soon as the New Railway Securities to be received by the Holding Company under this Scheme shall have been disposed of by the Holding Company or so soon as the Holding Company shall receive in any one year interest amounting to \$100,000 or more on such New Railway Securities whichever of these two dates shall be the earlier.

11. 420,755 Shares of the Common Stock in the Railway Company when reorganized as provided in Clause 6 (b) hereof shall be transferred out of the names of the Committee or their nominees into the name of a Canadian Trust Company to be selected by the Committee to be held by such Trust Company as Trustee on the terms of a Trust Deed under which Trust Certificates will be issued by the Trustee to the parties entitled to the same under the terms of this Scheme vesting the beneficial ownership in the said Shares of Common Stock and the proceeds of sale thereof in the holders of such Trust Certificates but subject to the terms of the said Trust Deed. Such Trust Deed shall reserve to the Trustee the voting rights attaching to the said Shares of Common Stock and such voting rights shall until the interest on the New Railway Securities has become a fixed charge be exercised by the Trustee in such manner as the New Committee hereinafter mentioned may direct and after the interest on the New Railway Securities has become a fixed charge then in such manner as the Directors of the Holding Company may direct, with power to the party entitled for the time being to control the said voting power to sell

the said Common Stock or any part thereof or to agree to any schemes for the amalgamation, merger, reconstruction or reorganization of the Railway Company provided that such powers shall be exercisable by the New Committee only with the concurrence of the Directors of the Holding Company. The said Trust Deed shall make provision for enabling the necessary shares required to qualify Directors or to preserve the corporate existence of the Railway Company to be put in the names of a nominee or nominees of the Trustee on such terms as the Trustee may approve or, if necessary, to comply with the law of Canada may provide for the release of such shares from the Trusts of the said Trust Deed. The said Trusts shall continue in force until the said Common Stock has been sold or until the interest on the New Railway Securities has become a fixed charge or until all such securities have been repaid (whichever shall first happen) and shall be terminated as soon as reasonably possible thereafter, and thereupon the Trust property shall be distributed among the holders of the Trust Certificates.

12. The 200,000 Shares of Common Stock of the Holding Company referred to in Clause 8 (b) hereof shall be issued to a Canadian Trust Company to be selected by the Committee to be held by such Trust Company as Trustee on the terms of a Trust Deed under which Trust Certificates will be issued by the Trustee to the parties entitled to the same under the terms of this Scheme vesting the beneficial interest in the said Shares of Common Stock of the Holding Company in the holders of such Trust Certificates subject to the terms of the said Trust Deed. Such Trust Deed shall reserve to the Trustee so long as the said Shares of Common Stock are held by the Trustee the voting rights attaching to the said Shares and such voting rights shall subject as below provided be exercised by the Trustee in such manner as the New Committee may direct with power for the New Committee to agree to any schemes for amalgamation, merger, reconstruction, reorganization or financing of the Holding Company or the Steel Company. The said Trust Deed shall further compel the Trustee on the instructions of the New Committee or of the Directors of the Holding Company and without the consent or approval of the holders of the Trust Certificates to terminate the Trust at any time. The said Trust Deed shall also reserve to the Directors of The Lake Superior Corporation the right to require by resolution that the voting power on the said Shares of Common Stock of the Holding Company shall with regard to election of Directors of the Holding Company be used as directed by the Directors of The Lake Superior Corporation subject only to the provisions of the next following clause of this Scheme. Failing earlier termination as hereinbefore provided if and when the interest on the New Railway Securities has become a fixed charge or when the New Railway Securities shall have been paid off in full (whichever shall first happen) the Trusts of the said Trust Deed shall be terminated and the Trust property distributed among the holders of the Trust Certificates.

13. Provision shall be made to the satisfaction of the Committee to secure that until the interest on the New Railway Securities shall have become a fixed charge or until all such securities shall have been paid off whichever shall first happen the New Committee shall have the right to be represented on the Boards of the Holding Company The Lake Superior Corporation and of the Steel Company respectively by at least two, Directors in the case of each such Company if the total number of Directors of such Company does not exceed eight and otherwise by three Directors, one of whom shall in each case be a member of the Executive Committee.

14. Provision shall be made in the Trust Deed referred to in Clause 11 hereof to secure that so long as the New Committee is entitled to control the voting power of the Common Stock of the Railway Company the Holding Company shall have the right to be represented on the Boards of the Railway and Terminal Companies respectively by at least two Directors in the case of each such Company if the total number of Directors of such Company does not exceed eight and otherwise by three Directors one of whom shall in each case be a member of the Executive Committee.

15. The New Railway Securities shall mature for payment on the 31st day of December, 1959, and the total nominal amount of the New Railway Securities to be issued shall be the amount required to be issued for the purposes of this Scheme. The Railway Company shall have the right

to repay the whole or any part of the New Railway Securities at par plus accrued interest at any time on three months' notice. Interest on the New Railway Securities shall be payable at the rate of 5 per cent. per annum and shall commence to accrue as from the 31st day of December, 1930. Unless and until the Auditors of the Railway Company shall have certified that the net earnings of the Railway Company (including surplus net earnings of the Terminal Company if any beyond the amount required to pay the interest due on the New Terminal Securities) for three consecutive financial years of the Railway Company have been sufficient after providing for depreciation to pay in full the current interest on the New Railway Securities the interest on the New Railway Securities shall only be payable if and to the extent that such net earnings are sufficient to pay the same but such interest shall be cumulative and so long as the same is contingent upon the net earnings as aforesaid the same shall only be payable annually after the accounts of the Railway Company for each year shall have been made up and audited but nothing herein contained shall prevent the Directors of the Railway Company making interim payments if they think it advisable to do so. After the said certificate of the auditors of the Railway Company shall have been given the interest on the New Railway Securities as from the end of the said three financial years shall be payable in any event and shall be so paid half yearly on the 30th day of June and 31st day of December in each year. Any arrears of interest previously accrued and not paid shall be payable out of any surplus net earnings remaining in any year after providing for the interest payable in respect of that year and before payment of any dividend on any part of the Share Capital of the Railway Company. The New Railway Securities shall be secured by a Trust Deed in favour of a Canadian Trust Company to be approved by the Committee and shall so far as Canadian Law will permit be secured as a First Mortgage and charge upon the assets of the Railway Company other than the properties at and near Michipicoten referred to in Clause 4 hereof which properties shall be excepted from any mortgage or charge created by the said Trust Deed.

16. The New Terminal Securities shall mature for payment on the 31st day of December, 1959, and the total nominal amount of the New Terminal Securities to be issued shall be the amount required to be issued for the purposes of this Scheme. The Terminal Company shall have the right to repay the whole or any part of the New Terminal Securities at par plus accrued interest at any time on three months' notice. The interest on the New Terminal Securities shall be payable half-yearly on the 30th day of June and the 31st day of December in each year. The first payment of interest shall be due on whichever of the said dates occurs next after the date on which this Scheme becomes operative and shall be calculated from the date down to which interest at the rate of 3 per cent. per annum on the existing Terminal Bonds shall have been declared payable pursuant to the Scheme of 1916. The New Terminal Securities shall be secured by a Trust Deed in favour of a Canadian Trust Company to be approved by the Committee and shall so far as Canadian Law will permit be secured as a First Mortgage and charge upon the existing assets of the Terminal Company (other than those to be realized or transferred to the Railway Company pursuant to this Scheme) subject to and with the benefit of the lease thereof to the Railway Company as modified pursuant to this Scheme.

17. The Income Debenture Stock and Bonds of the Holding Company shall mature for payment on the 31st day of December, 1959, and the total nominal amount of such Securities to be issued shall be the amount required to be issued for the purposes of this Scheme. The Holding Company shall have the right to repay the whole or any part of the said Securities at par plus accrued interest at any time on three months' notice. The interest on the said Securities shall commence to accrue as from the 31st December, 1930. Unless and until the interest on the New Railway Securities shall have become a fixed charge as provided in Clause 15 hereof the interest on the Income Debenture Stock and Bonds of the Holding Company in respect of any year shall only be payable if and to the extent that the interest in respect of that year received by the Holding Company on the New Railway Securities to be issued to the Holding Company as provided in Clause 8 (b) hereof shall be sufficient to provide for the same or to the extent that the Auditors of the Holding Company shall certify that the net Income of the Holding Company is sufficient to pay such

interest, whichever be the greater, but such interest shall be cumulative. So long as the said interest is contingent as aforesaid the same shall only be payable annually after the accounts of the Holding Company for each year shall have been made up and audited but nothing herein contained shall prevent the Directors of the Holding Company making interim payments if they think it advisable to do so and they shall be bound to do so if and to the extent that the interest paid on the New Railway Securities to be issued to the Holding Company as aforesaid shall be sufficient to meet the interest on the said Income Debenture Stock and Bonds of the Holding Company. After the interest on the New Railway Securities shall have become a fixed charge the interest on the Income Debenture Stock and Bonds of the Holding Company shall also become a fixed charge and shall thereafter be payable in any event half-yearly on the 30th day of June and 31st day of December in each year. Any arrears of interest previously accrued and not paid shall be payable out of any surplus net income of the Holding Company remaining in any year after providing for the interest payable on such Debenture Stock and Bonds for that year and before payment of any dividend on any part of the share capital of the Holding Company but subject to making such reserves, not exceeding 50 per cent. of such surplus net income, as the Directors of the Holding Company may think necessary. The Income Debenture Stock and Bonds of the Holding Company shall be secured by a Trust Deed in favour of a Canadian Trust Company to be approved by the Committee and shall be secured as a Specific First Mortgage and charge upon the whole of the New Railway Securities to be issued to the Holding Company as provided in Clause 8 (b) hereof which Securities shall not be sold or realized without the written consent of the Trustee of the Trust Deed securing the Income Debenture Stock and Bonds of the Holding Company. Save as aforesaid the Income Debenture Stock and Bonds of the Holding Company will not be secured by any charge upon the assets of the Holding Company. The said Trust Deed shall also provide that so long as any of the Income Debenture Stock and Bonds of the Holding Company are outstanding the Holding Company shall not apply any part of its assets in redeeming or purchasing any Preferred Stock of the Holding Company and that no dividend on such Preferred Stock or on any other Share Capital of the Holding Company shall be paid so long as any interest on the Income Debenture Stock and Bonds of the Holding Company is accrued due and unpaid.

18. The Preferred Stock of the Holding Company shall confer upon the holders thereof the right to a fixed cumulative preferential dividend at the rate of 7 per cent. per annum, commencing from the 31st day of December, 1930, and on a winding-up to repayment of capital with any arrears or deficiency of the said dividend but no further rights to participate in profits or assets and the said Stock shall be preferential both for dividend and capital over the Common Stock. Power shall be reserved to the Holding Company to redeem the whole or any part of the said Preferred Stock at par plus accrued dividend or to purchase the same at or below that price. The Preferred Stock shall not confer upon the holders thereof any right to attend or vote at any General Meeting of the Holding Company.

19. The Trust Deeds to secure the New Railway and Terminal Securities and the Income Debenture Stock and Bonds of the Holding Company shall respectively contain appropriate provisions for keeping in both England and Canada Registers of the said Securities and for enabling any holder registered on one Register to transfer to another and for enabling holders of Bonds against surrender of the same to receive Debenture Stock of an equivalent amount and for enabling holders of Debenture Stock on surrender of Debenture Stock equivalent to one or more Bonds to require delivery to them of Bearer Bonds for an equivalent amount. Any Bondholder or Debenture Stockholder requiring such exchange shall pay all expenses of and incident thereto including stamp taxes (if any) and any fraction of £1 or \$1 resulting from any such exchange shall be ignored.

20. The principal and interest of the New Railway Securities of the New Terminal Securities and of the Income Debenture Stock and Bonds of the Holding Company shall be payable at the option of the holder either in Sterling in London or in Canadian Gold Dollars in Montreal, Canada,

at the fixed rate of exchange of \$4.8665 to the £, except that in the case of Registered Debenture Stock principal and interest in respect of Debenture Stock registered on the Canadian Register shall be payable in Dollars and principal and interest in respect of Debenture Stock registered on the Register in England shall be payable in Sterling. The said Securities shall respectively be issued in such denominations and expressed in Sterling or Dollars as may be convenient for the purpose of giving effect to the issue and exchange of the said respective Securities pursuant to the provisions of this Scheme and both principal and interest shall in all cases be payable without deduction for any tax or taxes which the Railway Company the Terminal Company or the Holding Company as the case may be may be required or permitted to pay thereon or retain therefrom under any present or future law of the Dominion of Canada or of any Province or Municipality thereof.

21. The New Railway and Terminal Securities shall not be guaranteed as to either principal or interest by The Lake Superior Corporation.

22. Any holder of existing Bonds of the Railway Company or of the Terminal Company whose existing Bonds are not stamped in accordance with English Law or who desires to receive in exchange Bearer Bonds for any of the New Securities to which he may be entitled under the provisions of this Scheme shall be bound to carry out the exchange and accept delivery of the New Securities in Canada unless he shall on making the exchange in London pay to the Company concerned all stamp duties payable under English Law.

23. If any Bondholder is unable to surrender any coupon which should be surrendered pursuant to this Scheme he shall at his own expense give to the Railway or Terminal Company as the case may be and to The Lake Superior Corporation and (if required) to the Trustee of the Trust Deed under which such coupon was issued an indemnity satisfactory to them as a condition of receiving the New Securities to which he may be entitled under this Scheme.

24. On this Scheme becoming operative the existing Terminal and Railway Bonds and coupons to be surrendered shall cease to confer upon the holders thereof any right whatever other than a right to receive the cash to be paid and/or the New Securities to be issued in respect thereof, the whole, as provided by this Scheme and the Coupons Nos. 1 to 22, inclusive, mentioned in Clause 3 hereof and the Coupons Nos. 1 and 2 mentioned in Clause 7 hereof shall cease to confer upon the holders thereof any right whatever other than a right to receive against surrender of such respective coupons out of the moneys in the hands of the Committee or the Terminal or Railway Company as the case may be appropriated for that purpose payment of the amounts of interest on the existing Terminal Bonds or the existing Railway Bonds declared payable in respect of such respective coupons prior to the date on which this Scheme became operative.

25. The Trustees of the Deeds of Mortgage and Trust securing the existing Railway and Terminal Bonds shall if required by the Committee or by the Directors of The Lake Superior Corporation (subject to payment of their remuneration and proper costs, charges and expenses, but irrespective of whether the existing Bonds and coupons have been surrendered as provided in this Scheme) surrender and cancel all mortgages and charges securing such Bonds, and the Railway and Terminal Companies shall respectively execute and deliver new Deeds of Mortgage and Trust to secure the New Railway and Terminal Securities as provided by this Scheme.

26. Any holder of a Railway or Terminal Bond who has not obtained the new coupon sheets issued pursuant to the Scheme of 1916 shall surrender all coupons which he should have surrendered pursuant to the Scheme of 1916 and shall be entitled thereupon to receive in cash out of the funds in the hands of the Committee or the Railway or Terminal Companies as the case may be any interest declared payable in respect of such Bonds prior to the date on which this Scheme became operative.

27. The Railway and Terminal Bondholders shall accept the cash and/or new Securities to which they are respectively entitled under the terms of

this Scheme in full satisfaction of all claims against the Railway or, Terminal Companies and against The Lake Superior Corporation in respect of its guarantees of the Railway and Terminal Bonds whether in the Deeds of Mortgage and Trust securing such Bonds or as endorsed upon the said Bonds and whether as originally given or as modified by the Scheme of 1916 and in respect of its guarantees of principal and interest whether now due or hereafter to become due on such Bonds, and The Lake Superior Corporation shall, in consideration of carrying out the provisions of this Scheme binding on it, be released from all liability, both present and future, in respect of its said guarantees, which guarantees shall on the carrying out by The Lake Superior Corporation of its obligations under Clauses 8 (b), 9 and 10 of this Scheme, and on the carrying out of the Holding Company of its obligations under Clause 8 (b) of this Scheme, cease to have any further effect. Pending the carrying out of the said respective obligations and provided the same is done within the time limited by Clause 36 of this Scheme, no Bondholder nor the Trustees for the Railway or Terminal Bondholders shall be entitled to take any action against The Lake Superior Corporation in respect of its liability on the said guarantees or either of them.

28. The Lake Superior Corporation shall not make any claim against the Railway Company and/or the Terminal Company and/or against any holder of the existing Railway or Terminal Bonds to be subrogated to the rights of the Bondholders in respect of any part of the consideration provided by The Lake Superior Corporation as referred to in this Scheme, or any other claim of any kind whatsoever.

29. The remuneration and proper costs, charges and expenses of the Trustees of the Trust Deeds securing the existing Railway and Terminal Bonds and the proper costs of the Railway and Terminal Companies and all the costs, charges and expenses incurred and to be incurred by the Committee of and incident to the preparation and carrying into effect of this Scheme shall be paid by the Railway Company. The certificate of the Committee as to the amount of any such remuneration, costs, charges and expenses shall be conclusive and the same shall be allocated to capital or as part of the working expenditure as the Board of the Railway Company may determine. The Lake Superior Corporation shall repay 60 per cent. of such remuneration costs, charges and expenses to the Railway and Terminal Companies but so that its liability under this clause shall be limited to £15,000.

30. Upon this Scheme becoming operative and upon the execution by the Railway and Terminal Companies of the Trust Deeds to secure the New Railway and Terminal Securities all mortgages and charges upon any of the assets of the Railway and Terminal Companies to secure the existing Railway or Terminal Bonds shall be conclusively deemed to have been released and discharged and the Trust Deeds securing the existing Railway and Terminal Bonds shall no longer be of any force or effect. Without prejudice to the foregoing provision all necessary documents shall be executed by the Trustees of the said Trust Deeds, the Railway Company, the Terminal Company, The Lake Superior Corporation and any other parties, whether by way of modification or cancellation of existing documents or otherwise for carrying this Scheme (with such modifications if any as may be imposed or approved by the Parliament of Canada or by the Legislature of the Province of Ontario) into effect. The Committee may approve what documents are required to give effect to this Scheme. Any document executed to give effect to this Scheme which is in a form approved by the Committee, or any action taken at the request or with the approval of the Committee to carry out this Scheme, shall be deemed to be in order and to be in accordance with the provisions of this Scheme, and the said Trustees, the Railway and Terminal Companies, The Lake Superior Corporation, the Holding Company, and the Committee executing or approving any such document or taking any such action, shall be protected from liability accordingly. In this Scheme the words "the Committee" shall mean a majority of the members of the Committee.

31. It shall be a condition of the right of any Railway or Terminal Bondholder to participate in the benefits of this Scheme that he shall surrender when required by the Committee and at places to be appointed by the Committee his existing Railway or Terminal Bonds and coupons

for exchange as aforesaid, but this Scheme is not to be conditional upon the said Bonds, and coupons being so surrendered but (subject as below provided) shall be binding upon all holders of the said Bonds whether surrendered or not.

32. The powers of the Committee shall cease at some date to be determined by the Committee when they are satisfied that all necessary arrangements have been made and that all necessary documents have been executed to carry out this Scheme. The Committee shall be entitled to be paid by the Railway Company for their services in negotiating and carrying into effect this Scheme reasonable remuneration to be agreed between the Committee and the Directors of the Railway Company such remuneration to be charged as part of the working expenses of the Railway Company.

33. After this Scheme has become operative the Scheme of 1916 shall cease to have effect but so that this Clause shall not affect the continuation of the Committee and the exercise of its powers for the purposes of carrying out and giving effect to this Scheme, but only to the extent that the Committee may deem necessary for that purpose.

34. The expression "the New Committee" shall mean a committee to represent the holders of the New Railway Securities which shall be constituted by the Trust Deed securing the New Railway Securities, which Trust Deed shall lay down how such committee is to be constituted and remunerated, how vacancies are to be filled and how the proceedings of the New Committee are to be conducted and regulated. Provided always that the first members of the New Committee shall be those members of the Committee in office at the date when this Scheme shall become operative and that power shall be reserved to the holders of the New Railway Securities at a meeting of such holders duly convened and held in accordance with provisions to be inserted in the Trust Deed securing the New Railway Securities to remove or appoint members of the New Committee and to amend any of the provisions of such Trust Deed relating to the matters above mentioned. The New Committee shall remain in office until the interest on the New Railway Securities has become a fixed charge or until the New Railway Securities have been repaid, whichever shall first happen, whereupon the powers of the New Committee shall cease.

35 (a). The expression "net earnings" as applied to the Railway Company shall mean the gross earnings and receipts of the Railway Company (including any surplus earnings of the Terminal Company remaining after meeting the obligations of the Terminal Company in respect of the New Terminal Securities and other outgoings) from all sources on revenue account as distinguished from capital account less all working expenditure as defined by the Railway Act of Canada and less the remuneration and expenses of the New Committee and such sums for expenses depreciation contingencies or otherwise as may be agreed between the Directors of The Lake Superior Corporation and the Directors of the Railway Company or as failing agreement may be settled by a single Arbitrator to be appointed by the President for the time being of the Dominion Association of Chartered Accountants (of Canada). The certificate of the Auditors of The Railway Company as to the net earnings of the Railway Company of any year shall be conclusive.

(b) The expression "net income" as applied to the Holding Company shall mean the gross earnings and receipts of the Holding Company from all sources on revenue account as distinguished from capital account less all operating and administration expenses properly chargeable to revenue and less interest and Sinking Fund (up to 2 per cent. of their par value) payable in respect of any debts or obligations of the Holding Company other than the Income Debenture Stock and Bonds of the Holding Company and less a reasonable sum for any other expenses depreciation contingencies or otherwise to be agreed between the New Committee and the Directors of the Holding Company or failing agreement to be settled by a single Arbitrator to be appointed by the President for the time being of The Dominion Association of Chartered Accountants (of Canada).

(c) In the case both of the Railway Company and the Holding Company the Board of Directors shall with the approval of the New Committee be entitled to carry forward to the following year any sum not exceeding 1 per cent. of the total amount of the New Railway Securities or the Income Debenture Stock and Bonds of the Holding Company for the time being outstanding as the case may be instead of applying such sum in payment of interest under this Scheme.

(d) If The Lake Superior Corporation shall be placed in liquidation or shall be dissolved then any right which under the provisions of this Scheme is to be exercised or any consent or approval which under such provisions is to be given by the Directors of The Lake Superior Corporation shall thereafter be exercised or given by the Directors of the Holding Company.

36. This Scheme shall only become operative:—

(a) When all necessary resolutions of the Shareholders of the Railway and Terminal Companies and of any class of such Shareholders shall have been passed.

(b) When there shall have been deposited with the Committee for exchange under this Scheme, 75 per cent. in nominal value of all the existing Bonds of both the Railway and Terminal Companies or such smaller percentage of either or both of the said Bond issues as may be approved by the Committee and the Directors of The Lake Superior Corporation.

(c) When arrangements satisfactory to the Committee shall have been made for the sale of the Bonds and Shares of the Algoma Eastern Terminals Limited referred to in Clause 1 hereof for a sum approved by the Committee such approval not to be withheld in the case of a price of par plus accrued interest or any higher price.

(d) When the same has been approved by the Railway and Terminal Bondholders by Extraordinary Resolutions passed at meetings of such Bondholders summoned and held pursuant to the provisions of the Trust Deeds securing the existing Railway and Terminal Bonds and provided that a Certificate by the Chairman of the respective meetings shall be conclusive evidence of the due passing thereat of the said respective Resolutions.

(e) When the same has been approved by a Resolution passed at a meeting of the Directors of The Lake Superior Corporation duly convened and held, and a copy of such Resolution certified true by the Secretary under the Seal of The Lake Superior Corporation has been delivered to the Committee.

(f) When the holders of at least 75 per cent. or such smaller percentage as may be approved by the Committee and the Directors of The Lake Superior Corporation of the Shares of The Lake Superior Corporation shall have deposited their said Shares with the Holding Company or with a Trust Company approved by the Committee for exchange for Preferred Stock and Common Shares of the Holding Company as provided in Clause 8 (a) of this Scheme as to which a certificate by the Secretary of the Holding Company or by the said Trust Company as the case may be shall be conclusive evidence.

(g) When an Act of the Parliament of Canada and (if so required by the Directors of The Lake Superior Corporation or the Committee) of the Legislature of the Province of Ontario has been obtained confirming this Scheme.

(h) When the Committee shall certify that they are satisfied that the aforesaid conditions have been complied with and that the Holding Company has been formed. For the purposes of this clause the certificate of a Canadian lawyer selected by the Committee and approved by the Directors of The Lake Superior Corporation that

proper releases of all of the mortgages and charges securing the existing Railway and Terminal Bonds have been deposited and registered at the appropriate offices shall be taken as conclusive evidence that the provisions of Clause 25 hereof have been complied with so far as the surrender and cancellation of all mortgages and charges securing the said respective Bonds is concerned.

And unless the above conditions shall have been complied with not later than the 30th day of April, 1931, or such later date as may be agreed in writing between the Committee and the Directors of The Lake Superior Corporation, this Scheme shall be void and of no effect, and all parties shall be remitted to their original rights as if this Scheme had never been prepared.

37. In the event of any discrepancy between the English and French texts of this Scheme the English text shall prevail.

Dated, 25th November, 1930.

BILL

An Act respecting the Algoma Central
Railway.

1st Reading

2nd Reading

3rd Reading

MR. LYONS

(Private Bill)

No. 26

2ND SESSION, 18TH LEGISLATURE, ONTARIO

21 GEORGE V, 1931

BILL

An Act respecting the Algoma Central Railway.

MR LYONS

TORONTO

PRINTED BY HERBERT H. BALL

PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

BILL

An Act respecting the Algoma Central Railway.

Preamble.

R.S.C.,
c. 27.

Rev. Stat.,
c. 218.

WHEREAS The Algoma Central and Hudson Bay Railway Company, a company duly incorporated by special Act of the Parliament of Canada, having its head office at the city of Sault Ste. Marie, has constructed a line of railway from the said city to Hearst on the Canadian National Railway, in the Province of Ontario, and a branch line thereof running southwesterly to Michipicoten Harbour in the said province; and whereas the said railway company owns all of the issued capital stock of Algoma Central Terminals, Limited, a company duly incorporated under the *Companies Act* of the Dominion of Canada, having its head office at the said city of Sault Ste. Marie and the said terminals company owns certain lands and premises, buildings, machinery, plant and equipment all situate in the Province of Ontario, and has leased the same, as well as after acquired property, to the said railway company for terminal facilities for a period of nine hundred and ninety-nine (999) years upon the terms and conditions set forth in a lease bearing date November 1st, 1912; and whereas The Lake Superior Corporation, a corporation organized under the laws of the State of New Jersey, one of the United States of America, owns all of the issued common stock of the said railway company and also owns all the issued capital stock of Algoma Steel Corporation Limited, a company duly incorporated under *The Companies Act* (Ontario) and carrying on the businesses of manufacturing and selling steel and other kindred products and other allied businesses in and about the said city of Sault Ste. Marie; and whereas the said railway company has made an issue of first mortgage 5 per cent. fifty-year gold bonds, and \$10,080,000 principal amount whereof or its equivalent in other currencies are now outstanding, secured by trust deed in favour of United States Mortgage and Trust Company as trustee, dated July 1st, 1910, and in and by the said trust deed and the said bonds The Lake Superior Corporation has guaranteed the due payment of the principal and interest of such bonds; and whereas the said railway company has made an issue of second mortgage

6 per cent. fifty-year gold bonds, secured by trust deed in favour of United States Mortgage and Trust Company as trustee, dated August 14th, 1914, and \$318,800 principal amount of such bonds are now outstanding, all of which are owned by The Lake Superior Corporation; and whereas the said terminals company has made an issue of first mortgage 5 per cent. fifty-year gold bonds, of which £1,025,900 principal amount are now outstanding, secured by a trust deed in favour of United States Mortgage and Trust Company as trustee, dated November 1st, 1912, and in and by the said trust deed and the said bonds The Lake Superior Corporation has guaranteed the due payment of the principal and interest of such bonds; and whereas The Royal Trust Company has been duly appointed trustee under all of said trust deeds in succession to the said former trustees; and whereas in the year 1916, consequent upon receivers having been appointed to the said railway and terminals companies by reason of default having been made by the said railway company in the payment of interest due upon its said bonds and in the payment of the rentals due to the said terminals company under the said lease, and by reason of default having been made by the said terminals company in payment of the interest due upon its said bonds, a scheme of arrangement and compromise was entered into between the said companies and their respective stockholders and bondholders and The Lake Superior Corporation with a view to the settlement of all outstanding questions between the said companies and the reorganization of the said railway company and the discharge of the receivers, which scheme of arrangement was ratified and confirmed by Act of the Parliament of Canada 6-7 Geo. V (1916), chapter 32; and whereas the said scheme of 1916 modified in some respects the provisions of the said trust deeds securing the first and second mortgage bonds of the said railway company and the first mortgage bonds of the said terminals company and the provisions of the lease from the said terminals company to the said railway company, but provided that the guarantee by The Lake Superior Corporation of the principal and interest of the first mortgage bonds of the said railway company and of the said terminals company should remain in full force and effect; and whereas the joint net earnings of the said railway and terminals companies as and from June 1st, 1914, applied in the order of priority established by the said scheme of 1916, have been at all times thereafter insufficient to pay in full the interest on the first mortgage bonds of the said terminals company and have been insufficient to pay in full the interest on the first mortgage bonds of the said railway company, and the arrears of interest accrued on the first mortgage bonds of the railway company amounted on December 1st, 1930 to \$8,013,600 and the arrears of interest on the first mortgage bonds of the said terminals company amounted on February 1st, 1931, to

\$1,759,931; and whereas doubts have arisen whether and to what extent the holders of the first mortgage bonds of the said railway and terminals companies can enforce the guarantee by The Lake Superior Corporation of the principal and interest of the said bonds prior to the respective dates of maturity of such issues of bonds in the years 1960 and 1962; and whereas it is difficult for The Lake Superior Corporation, faced by a contingent future liability the amount of which cannot now be definitely ascertained, to arrange on satisfactory terms any future financing of Algoma Steel Corporation Limited, and the future success of the said railway and terminals companies largely depends upon the success of Algoma Steel Corporation Limited; and whereas by a further scheme of arrangement by and between the said railway company, the said terminals company, the holders of the first mortgage bonds of such companies, and The Lake Superior Corporation prepared with a view to the settlement of all outstanding questions between the said companies and such bondholders, provision has been made *inter alia* for the re-arrangement of the capital structure of the said railway company, the cancellation of the arrears of interest accrued upon the first mortgage bonds of the said railway company and the said terminals company, the cancellation of the arrears of rental accrued and the reduction of future rental under the said lease from the said terminals company to the said railway company, the surrender and cancellation of all such first mortgage bonds and the issue of new five per cent. first mortgage debenture stock and bonds of the said railway and terminals companies, not guaranteed by The Lake Superior Corporation either as to principal or interest; and whereas such new scheme of arrangement has been unanimously approved by extraordinary resolutions adopted at meetings of the holders of the first mortgage bonds of the said railway and terminals companies held in London, England, on January 16th, 1931; and whereas at a special general meeting of the shareholders of the said railway company held at the said city of Sault Ste. Marie on February 17th, 1931, the holders of the preferred and common shares of the said company present or represented at the said meeting, voting separately by classes, unanimously approved of such new scheme of arrangement; and whereas the directors of The Lake Superior Corporation by resolution unanimously adopted at a meeting of such directors held at the city of Montreal on the 19th day of December, 1930, have approved of the new scheme of arrangement; and whereas, pursuant to the terms of such new scheme of arrangement, a new company known as Algoma Consolidated Corporation Limited has been duly incorporated under the *Companies Act* of the Dominion of Canada and the holders of over seventy-five per cent. of the presently outstanding capital stock of The Lake Superior Corporation have deposited their shares for exchange for shares of preferred

and common stock of the new company on the basis set forth in the scheme, thereby evidencing their approval of the scheme; and whereas pursuant to the terms of such new scheme of arrangement the committee constituted by the scheme of 1916 to represent the holders of the first mortgage bonds of the said railway and terminals companies has required that an Act of the Legislature of the Province of Ontario be obtained confirming such new scheme of arrangement; and whereas the said railway and terminals companies and The Lake Superior Corporation have petitioned that the said new scheme of arrangement be ratified and confirmed by Act of the Legislature of the Province of Ontario, and have prayed that it be enacted as hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Algoma Central Railway Act, 1931*. Short title.

2. The scheme of arrangement set out in schedule "A" to this Act is hereby ratified and confirmed and declared to be valid and binding upon The Algoma Central and Hudson Bay Railway Company, Algoma Central Terminals, Limited, the respective shareholders and bondholders of the said companies, the present and former trustees of the trust deeds securing the first mortgage bonds of the said companies, The Lake Superior Corporation and all other persons having any interest under the said trust deeds or directly or indirectly affected by the said scheme of arrangement in all respects whatsoever as fully and to the same extent as if the said scheme of arrangement and each and every clause thereof were set out at length and enacted in this Act and the said companies and the present trustees of the said trust deeds are hereby authorized and empowered to do and perform all acts, matters and things and to execute and deliver all documents necessary to give full effect to the said scheme of arrangement. Scheme of arrangement confirmed.

3. This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

SCHEDULE "A"

THE ALGOMA CENTRAL AND HUDSON BAY
RAILWAY COMPANYALGOMA CENTRAL TERMINALS, LIMITED
(Incorporated under the Laws of Canada)

SCHEME OF ARRANGEMENT

BETWEEN THE ABOVE COMPANIES, THE HOLDERS OF THE FIVE PER CENT.
FIRST MORTGAGE GOLD BONDS ISSUED BY SUCH COMPANIES
AND THE LAKE SUPERIOR CORPORATION

PRELIMINARY

1. The Loan and Share Capital of THE ALGOMA CENTRAL AND HUDSON
BAY RAILWAY COMPANY (hereinafter referred to as "the Railway Com-
pany") is as follows:—

LOAN CAPITAL:

5 per cent. First Mortgage 50-Year Gold Bonds.....\$10,080,000
(Hereafter called "the existing Railway Bonds").
Guaranteed as to principal and interest by The Lake
Superior Corporation.

6 per cent. Second Mortgage 50-Year Gold Bonds..... 318,800
(All held by The Lake Superior Corporation).
There are also outstanding \$288,000 of Equipment
Trust Notes which have been guaranteed by the
railway company as to principal and interest.

ISSUED SHARE CAPITAL:

5 per cent. Non-Cumulative Preference Stock..... 5,000,000
(Held as to 60 per cent. on trust by the Committee below
referred to, and as to 40 per cent. by other parties).

Common Stock..... 5,000,000
(All owned by The Lake Superior Corporation but with
the exception of Directors' qualification shares, held
by the Committee below mentioned for voting pur-
poses).

2. The Loan and Share Capital of ALGOMA CENTRAL TERMINALS,
LIMITED (hereinafter referred to as "the Terminal Company") is as
follows:—

LOAN CAPITAL:

5 per cent. First Mortgage 50-Year Gold Bonds.....£1,025,900
(Hereafter called "the existing Terminal Bonds").
Guaranteed as to principal and interest by The Lake
Superior Corporation.

ISSUED SHARE CAPITAL:

Common Stock..... \$100,000
(Owned by the Railway Company but with the exception
of Directors' qualification shares, held by the Com-
mittee below mentioned for voting purposes).

3. By a Scheme of Arrangement approved by the holders of the Railway
and Terminal Bonds and by The Lake Superior Corporation, and ratified
by an Act of the Canadian Parliament in 1916 (hereinafter referred to as
"the Scheme of 1916") it was provided (*inter alia*):—

(i) That as from the 1st June, 1914, the joint net earnings as therein defined of the Railway and Terminal Companies in each year should be applied to the following purposes and in the following order of priority:—

(a) In paying to the Terminal Bondholders interest at the rate of 3 per cent. per annum on the existing Terminal Bonds for the year in question and interest at the like rate for any preceding year or years so far as interest thereon to that amount should not have been paid in respect of any such preceding year or years and in recouping to capital account any amounts expended out of capital after the 1st August, 1921, in payment of such interest.

(b) In paying interest up to 2 per cent. per annum for the year in question to the Railway Bondholders and interest up to a further 2 per cent. per annum for the year in question to the Terminal Bondholders on their respective holdings of existing Railway and Terminal Bonds *pari passu* as if they were one class of bond.

(c) In paying interest up to a further 3 per cent. per annum for the year in question to the Railway Bondholders on their existing Railway Bonds.

(d) In paying to the Railway Bondholders and the Terminal Bondholders any arrears of interest up to 5 per cent. per annum on their respective holdings of existing Railway and Terminal Bonds *pari passu* in proportion to the amount of the outstanding arrears on each issue.

(e) In providing the sinking fund for the existing Terminal Bonds for the year in question.

(f) In paying to the holders of the existing Railway Bonds further interest up to 1 per cent. per annum for the year in question and to the holders of the existing Terminal Bonds further interest up to one-half per cent. per annum for the year in question *pari passu* as if they were one class of Bond.

(ii) That after the 1st August, 1921, 1½ per cent. should be paid upon the existing Terminal Bonds in each half year, whether or not the joint net earnings might be sufficient to pay the same, and that any interest on the existing Railway Bonds or the existing Terminal Bonds not paid in any year should be cumulative and carried forward to subsequent years, but that, subject as aforesaid, the interest on the said issues of existing Bonds should only be payable if and to the extent that the joint net earnings were sufficient to pay the same.

(iii) That the guarantee by The Lake Superior Corporation of the principal and interest of the existing Railway Bonds and the existing Terminal Bonds should remain in full force and effect notwithstanding the Scheme of 1916 and that The Lake Superior Corporation should not be entitled to set up in answer to a claim under the said guarantee the fact that the interest on the said Bonds was under the Scheme as between the Bondholders and the Railway and Terminal Companies only payable out of joint net earnings but that no holder of existing Railway or Terminal Bonds should be entitled to take any steps to enforce the guarantee endorsed upon his Bonds without the written consent of the Bondholders' Committee below mentioned or the sanction of Extraordinary Resolutions of both the Railway and Terminal Bondholders passed at meetings of such Bondholders.

(iv) That a Bondholders' Committee (hereafter referred to as "the Committee") not exceeding five members should be constituted of whom three were to form a quorum and that the voting rights attached to the Stock of the Railway Company held by The Lake Superior Corporation and to the Stock of the Terminal Company held by the Railway Company should be vested in the Committee so long as the Committee should remain in existence.

(v) That \$3,000,000 of Preference Stock of the Railway Company (representing 60 per cent. of the whole) should be issued as fully paid to the Committee or their nominees to be held by them as Trustees for the benefit of the Railway and Terminal Bondholders.

NOTE.—This Stock is held by the Committee on the terms of a Deed Poll, dated 26th January, 1917 and is represented by Trust Certificates which were issued by the Committee and distributed to the Railway and Terminal Bondholders in 1917.

4. The total arrears of interest accrued on the existing Railway and Terminal Bonds are as follows:—

Railway Bonds to 1st December, 1930.....	\$8,013,600
Terminal Bonds to 1st February, 1931.....	1,759,931

Under the Scheme of 1916 these arrears rank as follows:—

First, there is payable to the Terminal Bondholders....	249,636
The balance of the arrears due to the Railway and Terminal Bondholders rank <i>pari passu</i> according to the amount of the arrears outstanding but before payment of such arrears there must be recouped to capital account in refund of interest on the existing Terminal Bonds paid out of capital.....	622,240

These arrears are at present accumulating at the rate of \$504,000 per annum on the existing Railway Bonds and \$99,854 per annum on the existing Terminal Bonds.

5. The Capital of THE LAKE SUPERIOR CORPORATION is as follows:—

LOAN CAPITAL:

First Mortgage Collateral Trust 5 per cent. Bonds.....	\$5,278,000
The principal security for these Bonds is the deposit with Trustees of \$5,800,000 five per cent. Purchase Money Bonds of the Algoma Steel Corporation, Limited.	

ISSUED SHARE CAPITAL:

Common Stock (no par value shares).....	400,000 shares
(Part of a total of 800,000 shares authorized).	

6. The Lake Superior Corporation has guaranteed principal and interest on the following Bonds in addition to the existing Railway and Terminal Bonds:—

First and Refunding Mortgage 5 per cent. Gold Bonds of the Algoma Steel Corporation Limited.

First Mortgage 5 per cent. Bonds of the Algoma Eastern Railway Company.

(The obligation of The Lake Superior Corporation under the guarantee of the latter Bonds has been assumed by the Canadian Pacific Railway Company).

7. The principal assets of The Lake Superior Corporation are its holdings in the Algoma Steel Corporation Limited (in which it owns the whole of the issued Share Capital and \$5,800,000 of 5 per cent. Purchase Money Bonds) and certain cash and investments (including advances to the Steel Company) representing the proceeds of the sale to the Canadian Pacific Railway Company at \$110 per \$100 share of the Shares in the Algoma Eastern Railway Company formerly held by The Lake Superior Corporation.

8. It is recognized by all parties that the success of the Railway and Terminal Companies is mainly dependent upon the success of the Algoma Steel Corporation Limited.

9. The Capital of the ALGOMA STEEL CORPORATION LIMITED (hereinafter referred to as "the Steel Company") is as follows:—

LOAN CAPITAL:

5 per cent. Purchase Money Bonds.....	\$5,800,000
(Deposited as collateral as above-mentioned).	
First and Refunding Mortgage 5 per cent. Gold Bonds (outstanding).....	14,442,680
(Authorized issue \$30,000,000).	

NOTE.—The Purchase Money Bonds of the Steel Company rank as a first charge on a part of the assets of the Steel Company. Subject thereto, the First and Refunding Bonds of the Steel Company are a first charge on the whole of the assets of the Steel Company.

ISSUED SHARE CAPITAL:

7 per cent. Cumulative Preference Stock.....	\$10,000,000
Common Stock.....	15,000,000
(The whole of the Share Capital is held by The Lake Superior Corporation with the exception of Directors' qualification shares).	

SCHEME OF ARRANGEMENT

1. The Terminal Company shall realize the \$900,000 of Bonds and \$99,300 of Shares of the Algoma Eastern Terminals Limited held by it and forming part of the security for the existing Terminal Bonds and convert the same into cash and shall apply the cash so raised and the cash to be received from the Railway Company as mentioned in Clause 4 hereof and the necessary additional sum of cash (if any) out of the Terminal Company's own resources in redeeming at 70 per cent. of par 40 per cent. of the principal amount of each existing Terminal Bond outstanding. Each Terminal Bondholder shall accept such payment in full satisfaction of 40 per cent. of the principal amount of the Bonds held by him. Payment as aforesaid will become due within 60 days of the date upon which this Scheme becomes operative and shall be made against surrender of the Bonds for exchange under the terms of this Scheme payment in the case of Bonds surrendered for exchange in London, England, being made in sterling and in the case of Bonds surrendered for exchange in Canada in Canadian Dollars, sterling being converted into dollars and *vice versa* at the fixed rate of exchange of \$4.8665 to the £.

2. The Terminal Company shall create a new issue of Debenture Stock and Bonds to be called 5 per cent. First Mortgage Debenture Stock and Bonds (hereafter referred to as "the New Terminal Securities") such Securities to carry interest, be redeemable and be secured in accordance with and confer the rights and privileges specified in Clause 16 hereof.

3. Upon this Scheme becoming operative the holders of the existing Terminal Bonds shall be bound to surrender to the Terminal Company at places in London and Canada to be fixed by the Committee their existing Terminal Bonds and all coupons (other than coupons numbered 1 to 22, inclusive and any further coupon or coupons that may have been declared payable before this Scheme becomes operative) and to accept in exchange therefor and for all arrears of interest on the said Bonds new Terminal Securities for a nominal amount equivalent to the principal amount of the Bonds so surrendered after deducting therefrom the 40 per cent. of the principal amount of such Bonds which is to be redeemed as provided in Clause 1 hereof.

4. The Railway Company shall within 30 days after this Scheme becomes operative pay to the Terminal Company \$100,000 in cash and in consideration thereof (a) the rent payable by the Railway Company under the lease of the Terminal properties shall as from the date on which this Scheme becomes operative be reduced by 40 per cent. and all arrears of rent accrued under such lease up to the date on which the Scheme becomes

operative shall be cancelled and (b) the Terminal Company shall transfer to the Railway Company freed from the mortgage and charge securing the existing Terminal Bonds the whole of the properties of the Terminal Company at and near Michipicoten.

5. A new Company to be called Algoma Consolidated Corporation Ltd., or by some other name approved by the Directors of The Lake Superior Corporation shall be formed under the Laws of Canada or of one of the Provinces thereof (hereafter called "the Holding Company") which shall be capitalized as follows:—

\$2,000,000, 7 per cent. Cumulative Preferred Stock.
800,000 Shares of no par value (of which the initial issue under this Scheme will be 600,000 Shares).

The Holding Company shall also create an issue of 5 per cent. Cumulative Income Debenture Stock and Bonds. The Income Debenture Stock and Bonds of the Holding Company shall carry interest, be redeemable and be secured in accordance with and confer the rights and privileges specified in Clause 17 of this Scheme and the Preferred Stock of the Holding Company shall confer the rights and privileges specified in Clause 18 of this Scheme.

6 (a). The Railway Company shall create a new issue of Debenture Stock and Bonds to be called 5 per cent. First Mortgage Income Debenture Stock and Bonds (hereafter referred to as "the New Railway Securities") which shall carry interest, be redeemable and be secured in accordance with and confer the rights and privileges specified in Clause 15 of this Scheme.

(b) The present Preference and Common Share capital of the Railway Company shall be reorganized and reduced as follows, viz.: The \$5,000,000 of 5 per cent. Non-Cumulative Preference Stock shall be reduced to \$500,000 of 5 per cent. Non-Cumulative Non-voting Preference Stock redeemable at the option of the Railway Company in whole or part on three months' notice at par and the \$5,000,000 of Common Stock shall be converted into 420,755 shares of \$10 each.

7. Upon this Scheme becoming operative the holders of the existing Railway Bonds shall be bound to surrender at places in London and Canada to be fixed by the Committee their existing Railway Bonds and all coupons (other than coupons Nos. 1 and 2) and to accept in exchange for each £100, \$500 or francs 2,575 of the nominal amount of the Bonds so surrendered and all arrears of interest on such Bonds:—

(a) \$300 of the New Railway Securities referred to in Clause 6 of this Scheme;

(b) \$150 of the Income Debenture Stock and Bonds of the Holding Company referred to in Clause 5 of this Scheme;

(c) Trust Certificates to be issued as referred to in Clause 11 of this Scheme representing 10 Shares of the Common Stock of the Railway Company when reorganized as provided in Clause 6 (b) of this Scheme;

(d) Trust Certificates to be issued as referred to in Clause 12 of this Scheme representing $\frac{1}{20617}$ of 200,000 Shares of Common Stock of the Holding Company;

and so in proportion for any Bond of larger or smaller nominal amount.

8 (a). The Holding Company shall offer to the Shareholders in The Lake Superior Corporation the right to exchange each Common Share of no par value in The Lake Superior Corporation held by them respectively for \$5 par value of Preferred Stock and 1 Common Share of no par value of the Holding Company.

(b) The Holding Company shall at the request of The Lake Superior Corporation and at the direction of the Railway Company issue to the holders of existing Railway Bonds the Income Debenture Stock and Bonds

referred to in Clause 7 (b) hereof and to the Trustee referred to in Clause 12 hereof 200,000 Common Shares of no par value in the Holding Company as fully paid and in consideration of the issue of such Income Debenture Stock and Bonds the Railway Company shall issue to the Holding Company New Railway Securities to a nominal amount of \$4,123,400.

9. In consideration of the holders of the existing Railway and Terminal Bonds agreeing to this Scheme The Lake Superior Corporation shall transfer and the Committee at the request of The Lake Superior Corporation shall transfer to the Trustee specified in Clause 11 of this Scheme 420,755 Shares of the Common Stock of the Railway Company when reorganized as provided in Clause 6 (b) of this Scheme to be held on the trusts and conditions therein referred to.

10. As consideration to the Holding Company for the issue of the Common Shares referred to in Clause 8 (b) hereof The Lake Superior Corporation shall transfer or procure to be issued to the Holding Company the following assets;—

(a) Trust Certificates representing 214,585 Shares of Common Stock of the Railway Company when reorganized as provided in Clause 6 (b) hereof;

(b) \$318,800 Second Mortgage 6 per cent. Bonds of the Railway Company;

(c) One-third of the entire interest of The Lake Superior Corporation in The Northern Ontario Lands Corporation, Limited;

(d) One-third of the cash proceeds of sale of the Shares of Algoma Eastern Railway Company or of the investments including advances to the Steel Company representing such proceeds at the date of transfer;

(e) One-third of the entire issued Share Capital of the Steel Company.

10a. As further consideration for the part taken by the Holding Company in carrying out this Scheme, The Lake Superior Corporation shall pay to the Holding Company in each year a sum of \$100,000 or such less sum as shall represent the net earnings received by The Lake Superior Corporation in that year in the event of such net earnings being less than \$100,000, provided that such obligation by The Lake Superior Corporation to make such payments to the Holding Company shall cease as soon as the New Railway Securities to be received by the Holding Company under this Scheme shall have been disposed of by the Holding Company or so soon as the Holding Company shall receive in any one year interest amounting to \$100,000 or more on such New Railway Securities whichever of these two dates shall be the earlier.

11. 420,755 Shares of the Common Stock in the Railway Company when reorganized as provided in Clause 6 (b) hereof shall be transferred out of the names of the Committee or their nominees into the name of a Canadian Trust Company to be selected by the Committee to be held by such Trust Company as Trustee on the terms of a Trust Deed under which Trust Certificates will be issued by the Trustee to the parties entitled to the same under the terms of this Scheme vesting the beneficial ownership in the said Shares of Common Stock and the proceeds of sale thereof in the holders of such Trust Certificates but subject to the terms of the said Trust Deed. Such Trust Deed shall reserve to the Trustee the voting rights attaching to the said Shares of Common Stock and such voting rights shall until the interest on the New Railway Securities has become a fixed charge be exercised by the Trustee in such manner as the New Committee hereinafter mentioned may direct and after the interest on the New Railway Securities has become a fixed charge then in such manner as the Directors of the Holding Company may direct, with power to the party entitled for the time being to control the said voting power to sell

the said Common Stock or any part thereof or to agree to any schemes for the amalgamation, merger, reconstruction or reorganization of the Railway Company provided that such powers shall be exercisable by the New Committee only with the concurrence of the Directors of the Holding Company. The said Trust Deed shall make provision for enabling the necessary shares required to qualify Directors or to preserve the corporate existence of the Railway Company to be put in the names of a nominee or nominees of the Trustee on such terms as the Trustee may approve or, if necessary, to comply with the law of Canada may provide for the release of such shares from the Trusts of the said Trust Deed. The said Trusts shall continue in force until the said Common Stock has been sold or until the interest on the New Railway Securities has become a fixed charge or until all such securities have been repaid (whichever shall first happen) and shall be terminated as soon as reasonably possible thereafter, and thereupon the Trust property shall be distributed among the holders of the Trust Certificates.

12. The 200,000 Shares of Common Stock of the Holding Company referred to in Clause 8 (b) hereof shall be issued to a Canadian Trust Company to be selected by the Committee to be held by such Trust Company as Trustee on the terms of a Trust Deed under which Trust Certificates will be issued by the Trustee to the parties entitled to the same under the terms of this Scheme vesting the beneficial interest in the said Shares of Common Stock of the Holding Company in the holders of such Trust Certificates subject to the terms of the said Trust Deed. Such Trust Deed shall reserve to the Trustee so long as the said Shares of Common Stock are held by the Trustee the voting rights attaching to the said Shares and such voting rights shall subject as below provided be exercised by the Trustee in such manner as the New Committee may direct with power for the New Committee to agree to any schemes for amalgamation, merger, reconstruction, reorganization or financing of the Holding Company or the Steel Company. The said Trust Deed shall further compel the Trustee on the instructions of the New Committee or of the Directors of the Holding Company and without the consent or approval of the holders of the Trust Certificates to terminate the Trust at any time. The said Trust Deed shall also reserve to the Directors of The Lake Superior Corporation the right to require by resolution that the voting power on the said Shares of Common Stock of the Holding Company shall with regard to election of Directors of the Holding Company be used as directed by the Directors of The Lake Superior Corporation subject only to the provisions of the next following clause of this Scheme. Failing earlier termination as hereinbefore provided if and when the interest on the New Railway Securities has become a fixed charge or when the New Railway Securities shall have been paid off in full (whichever shall first happen) the Trusts of the said Trust Deed shall be terminated and the Trust property distributed among the holders of the Trust Certificates.

13. Provision shall be made to the satisfaction of the Committee to secure that until the interest on the New Railway Securities shall have become a fixed charge or until all such securities shall have been paid off whichever shall first happen the New Committee shall have the right to be represented on the Boards of the Holding Company The Lake Superior Corporation and of the Steel Company respectively by at least two, Directors in the case of each such Company if the total number of Directors of such Company does not exceed eight and otherwise by three Directors, one of whom shall in each case be a member of the Executive Committee.

14. Provision shall be made in the Trust Deed referred to in Clause 11 hereof to secure that so long as the New Committee is entitled to control the voting power of the Common Stock of the Railway Company the Holding Company shall have the right to be represented on the Boards of the Railway and Terminal Companies respectively by at least two Directors in the case of each such Company if the total number of Directors of such Company does not exceed eight and otherwise by three Directors one of whom shall in each case be a member of the Executive Committee.

15. The New Railway Securities shall mature for payment on the 31st day of December, 1959, and the total nominal amount of the New Railway Securities to be issued shall be the amount required to be issued for the purposes of this Scheme. The Railway Company shall have the right

to repay the whole or any part of the New Railway Securities at par plus accrued interest at any time on three months' notice. Interest on the New Railway Securities shall be payable at the rate of 5 per cent. per annum and shall commence to accrue as from the 31st day of December, 1930. Unless and until the Auditors of the Railway Company shall have certified that the net earnings of the Railway Company (including surplus net earnings of the Terminal Company if any beyond the amount required to pay the interest due on the New Terminal Securities) for three consecutive financial years of the Railway Company have been sufficient after providing for depreciation to pay in full the current interest on the New Railway Securities the interest on the New Railway Securities shall only be payable if and to the extent that such net earnings are sufficient to pay the same but such interest shall be cumulative and so long as the same is contingent upon the net earnings as aforesaid the same shall only be payable annually after the accounts of the Railway Company for each year shall have been made up and audited but nothing herein contained shall prevent the Directors of the Railway Company making interim payments if they think it advisable to do so. After the said certificate of the auditors of the Railway Company shall have been given the interest on the New Railway Securities as from the end of the said three financial years shall be payable in any event and shall be so paid half yearly on the 30th day of June and 31st day of December in each year. Any arrears of interest previously accrued and not paid shall be payable out of any surplus net earnings remaining in any year after providing for the interest payable in respect of that year and before payment of any dividend on any part of the Share Capital of the Railway Company. The New Railway Securities shall be secured by a Trust Deed in favour of a Canadian Trust Company to be approved by the Committee and shall so far as Canadian Law will permit be secured as a First Mortgage and charge upon the assets of the Railway Company other than the properties at and near Michipicoten referred to in Clause 4 hereof which properties shall be excepted from any mortgage or charge created by the said Trust Deed.

16. The New Terminal Securities shall mature for payment on the 31st day of December, 1959, and the total nominal amount of the New Terminal Securities to be issued shall be the amount required to be issued for the purposes of this Scheme. The Terminal Company shall have the right to repay the whole or any part of the New Terminal Securities at par plus accrued interest at any time on three months' notice. The interest on the New Terminal Securities shall be payable half-yearly on the 30th day of June and the 31st day of December in each year. The first payment of interest shall be due on whichever of the said dates occurs next after the date on which this Scheme becomes operative and shall be calculated from the date down to which interest at the rate of 3 per cent. per annum on the existing Terminal Bonds shall have been declared payable pursuant to the Scheme of 1916. The New Terminal Securities shall be secured by a Trust Deed in favour of a Canadian Trust Company to be approved by the Committee and shall so far as Canadian Law will permit be secured as a First Mortgage and charge upon the existing assets of the Terminal Company (other than those to be realized or transferred to the Railway Company pursuant to this Scheme) subject to and with the benefit of the lease thereof to the Railway Company as modified pursuant to this Scheme.

17. The Income Debenture Stock and Bonds of the Holding Company shall mature for payment on the 31st day of December, 1959, and the total nominal amount of such Securities to be issued shall be the amount required to be issued for the purposes of this Scheme. The Holding Company shall have the right to repay the whole or any part of the said Securities at par plus accrued interest at any time on three months' notice. The interest on the said Securities shall commence to accrue as from the 31st December, 1930. Unless and until the interest on the New Railway Securities shall have become a fixed charge as provided in Clause 15 hereof the interest on the Income Debenture Stock and Bonds of the Holding Company in respect of any year shall only be payable if and to the extent that the interest in respect of that year received by the Holding Company on the New Railway Securities to be issued to the Holding Company as provided in Clause 8 (b) hereof shall be sufficient to provide for the same or to the extent that the Auditors of the Holding Company shall certify that the net Income of the Holding Company is sufficient to pay such

interest, whichever be the greater, but such interest shall be cumulative. So long as the said interest is contingent as aforesaid the same shall only be payable annually after the accounts of the Holding Company for each year shall have been made up and audited but nothing herein contained shall prevent the Directors of the Holding Company making interim payments if they think it advisable to do so and they shall be bound to do so if and to the extent that the interest paid on the New Railway Securities to be issued to the Holding Company as aforesaid shall be sufficient to meet the interest on the said Income Debenture Stock and Bonds of the Holding Company. After the interest on the New Railway Securities shall have become a fixed charge the interest on the Income Debenture Stock and Bonds of the Holding Company shall also become a fixed charge and shall thereafter be payable in any event half-yearly on the 30th day of June and 31st day of December in each year. Any arrears of interest previously accrued and not paid shall be payable out of any surplus net income of the Holding Company remaining in any year after providing for the interest payable on such Debenture Stock and Bonds for that year and before payment of any dividend on any part of the share capital of the Holding Company but subject to making such reserves, not exceeding 50 per cent. of such surplus net income, as the Directors of the Holding Company may think necessary. The Income Debenture Stock and Bonds of the Holding Company shall be secured by a Trust Deed in favour of a Canadian Trust Company to be approved by the Committee and shall be secured as a Specific First Mortgage and charge upon the whole of the New Railway Securities to be issued to the Holding Company as provided in Clause 8 (b) hereof which Securities shall not be sold or realized without the written consent of the Trustee of the Trust Deed securing the Income Debenture Stock and Bonds of the Holding Company. Save as aforesaid the Income Debenture Stock and Bonds of the Holding Company will not be secured by any charge upon the assets of the Holding Company. The said Trust Deed shall also provide that so long as any of the Income Debenture Stock and Bonds of the Holding Company are outstanding the Holding Company shall not apply any part of its assets in redeeming or purchasing any Preferred Stock of the Holding Company and that no dividend on such Preferred Stock or on any other Share Capital of the Holding Company shall be paid so long as any interest on the Income Debenture Stock and Bonds of the Holding Company is accrued due and unpaid.

18. The Preferred Stock of the Holding Company shall confer upon the holders thereof the right to a fixed cumulative preferential dividend at the rate of 7 per cent. per annum, commencing from the 31st day of December, 1930, and on a winding-up to repayment of capital with any arrears or deficiency of the said dividend but no further rights to participate in profits or assets and the said Stock shall be preferential both for dividend and capital over the Common Stock. Power shall be reserved to the Holding Company to redeem the whole or any part of the said Preferred Stock at par plus accrued dividend or to purchase the same at or below that price. The Preferred Stock shall not confer upon the holders thereof any right to attend or vote at any General Meeting of the Holding Company.

19. The Trust Deeds to secure the New Railway and Terminal Securities and the Income Debenture Stock and Bonds of the Holding Company shall respectively contain appropriate provisions for keeping in both England and Canada Registers of the said Securities and for enabling any holder registered on one Register to transfer to another and for enabling holders of Bonds against surrender of the same to receive Debenture Stock of an equivalent amount and for enabling holders of Debenture Stock on surrender of Debenture Stock equivalent to one or more Bonds to require delivery to them of Bearer Bonds for an equivalent amount. Any Bondholder or Debenture Stockholder requiring such exchange shall pay all expenses of and incident thereto including stamp taxes (if any) and any fraction of £1 or \$1 resulting from any such exchange shall be ignored.

20. The principal and interest of the New Railway Securities of the New Terminal Securities and of the Income Debenture Stock and Bonds of the Holding Company shall be payable at the option of the holder either in Sterling in London or in Canadian Gold Dollars in Montreal, Canada,

at the fixed rate of exchange of \$4.8665 to the £, except that in the case of Registered Debenture Stock principal and interest in respect of Debenture Stock registered on the Canadian Register shall be payable in Dollars and principal and interest in respect of Debenture Stock registered on the Register in England shall be payable in Sterling. The said Securities shall respectively be issued in such denominations and expressed in Sterling or Dollars as may be convenient for the purpose of giving effect to the issue and exchange of the said respective Securities pursuant to the provisions of this Scheme and both principal and interest shall in all cases be payable without deduction for any tax or taxes which the Railway Company the Terminal Company or the Holding Company as the case may be may be required or permitted to pay thereon or retain therefrom under any present or future law of the Dominion of Canada or of any Province or Municipality thereof.

21. The New Railway and Terminal Securities shall not be guaranteed as to either principal or interest by The Lake Superior Corporation.

22. Any holder of existing Bonds of the Railway Company or of the Terminal Company whose existing Bonds are not stamped in accordance with English Law or who desires to receive in exchange Bearer Bonds for any of the New Securities to which he may be entitled under the provisions of this Scheme shall be bound to carry out the exchange and accept delivery of the New Securities in Canada unless he shall on making the exchange in London pay to the Company concerned all stamp duties payable under English Law.

23. If any Bondholder is unable to surrender any coupon which should be surrendered pursuant to this Scheme he shall at his own expense give to the Railway or Terminal Company as the case may be and to The Lake Superior Corporation and (if required) to the Trustee of the Trust Deed under which such coupon was issued an indemnity satisfactory to them as a condition of receiving the New Securities to which he may be entitled under this Scheme.

24. On this Scheme becoming operative the existing Terminal and Railway Bonds and coupons to be surrendered shall cease to confer upon the holders thereof any right whatever other than a right to receive the cash to be paid and/or the New Securities to be issued in respect thereof, the whole, as provided by this Scheme and the Coupons Nos. 1 to 22, inclusive, mentioned in Clause 3 hereof and the Coupons Nos. 1 and 2 mentioned in Clause 7 hereof shall cease to confer upon the holders thereof any right whatever other than a right to receive against surrender of such respective coupons out of the moneys in the hands of the Committee or the Terminal or Railway Company as the case may be appropriated for that purpose payment of the amounts of interest on the existing Terminal Bonds or the existing Railway Bonds declared payable in respect of such respective coupons prior to the date on which this Scheme became operative.

25. The Trustees of the Deeds of Mortgage and Trust securing the existing Railway and Terminal Bonds shall if required by the Committee or by the Directors of The Lake Superior Corporation (subject to payment of their remuneration and proper costs, charges and expenses, but irrespective of whether the existing Bonds and coupons have been surrendered as provided in this Scheme) surrender and cancel all mortgages and charges securing such Bonds, and the Railway and Terminal Companies shall respectively execute and deliver new Deeds of Mortgage and Trust to secure the New Railway and Terminal Securities as provided by this Scheme.

26. Any holder of a Railway or Terminal Bond who has not obtained the new coupon sheets issued pursuant to the Scheme of 1916 shall surrender all coupons which he should have surrendered pursuant to the Scheme of 1916 and shall be entitled thereupon to receive in cash out of the funds in the hands of the Committee or the Railway or Terminal Companies as the case may be any interest declared payable in respect of such Bonds prior to the date on which this Scheme became operative.

27. The Railway and Terminal Bondholders shall accept the cash and/or new Securities to which they are respectively entitled under the terms of

this Scheme in full satisfaction of all claims against the Railway or, Terminal Companies and against The Lake Superior Corporation in respect of its guarantees of the Railway and Terminal Bonds whether in the Deeds of Mortgage and Trust securing such Bonds or as endorsed upon the said Bonds and whether as originally given or as modified by the Scheme of 1916 and in respect of its guarantees of principal and interest whether now due or hereafter to become due on such Bonds, and The Lake Superior Corporation shall, in consideration of carrying out the provisions of this Scheme binding on it, be released from all liability, both present and future, in respect of its said guarantees, which guarantees shall on the carrying out by The Lake Superior Corporation of its obligations under Clauses 8 (b), 9 and 10 of this Scheme, and on the carrying out of the Holding Company of its obligations under Clause 8 (b) of this Scheme, cease to have any further effect. Pending the carrying out of the said respective obligations and provided the same is done within the time limited by Clause 36 of this Scheme, no Bondholder nor the Trustees for the Railway or Terminal Bondholders shall be entitled to take any action against The Lake Superior Corporation in respect of its liability on the said guarantees or either of them.

28. The Lake Superior Corporation shall not make any claim against the Railway Company and/or the Terminal Company and/or against any holder of the existing Railway or Terminal Bonds to be subrogated to the rights of the Bondholders in respect of any part of the consideration provided by The Lake Superior Corporation as referred to in this Scheme, or any other claim of any kind whatsoever.

29. The remuneration and proper costs, charges and expenses of the Trustees of the Trust Deeds securing the existing Railway and Terminal Bonds and the proper costs of the Railway and Terminal Companies and all the costs, charges and expenses incurred and to be incurred by the Committee of and incident to the preparation and carrying into effect of this Scheme shall be paid by the Railway Company. The certificate of the Committee as to the amount of any such remuneration, costs, charges and expenses shall be conclusive and the same shall be allocated to capital or as part of the working expenditure as the Board of the Railway Company may determine. The Lake Superior Corporation shall repay 60 per cent. of such remuneration costs, charges and expenses to the Railway and Terminal Companies but so that its liability under this clause shall be limited to £15,000.

30. Upon this Scheme becoming operative and upon the execution by the Railway and Terminal Companies of the Trust Deeds to secure the New Railway and Terminal Securities all mortgages and charges upon any of the assets of the Railway and Terminal Companies to secure the existing Railway or Terminal Bonds shall be conclusively deemed to have been released and discharged and the Trust Deeds securing the existing Railway and Terminal Bonds shall no longer be of any force or effect. Without prejudice to the foregoing provision all necessary documents shall be executed by the Trustees of the said Trust Deeds, the Railway Company, the Terminal Company, The Lake Superior Corporation and any other parties, whether by way of modification or cancellation of existing documents or otherwise for carrying this Scheme (with such modifications if any as may be imposed or approved by the Parliament of Canada or by the Legislature of the Province of Ontario) into effect. The Committee may approve what documents are required to give effect to this Scheme. Any document executed to give effect to this Scheme which is in a form approved by the Committee, or any action taken at the request or with the approval of the Committee to carry out this Scheme, shall be deemed to be in order and to be in accordance with the provisions of this Scheme, and the said Trustees, the Railway and Terminal Companies, The Lake Superior Corporation, the Holding Company, and the Committee executing or approving any such document or taking any such action, shall be protected from liability accordingly. In this Scheme the words "the Committee" shall mean a majority of the members of the Committee.

31. It shall be a condition of the right of any Railway or Terminal Bondholder to participate in the benefits of this Scheme that he shall surrender when required by the Committee and at places to be appointed by the Committee his existing Railway or Terminal Bonds and coupons

for exchange as aforesaid, but this Scheme is not to be conditional upon the said Bonds, and coupons being so surrendered but (subject as below provided) shall be binding upon all holders of the said Bonds whether surrendered or not.

32. The powers of the Committee shall cease at some date to be determined by the Committee when they are satisfied that all necessary arrangements have been made and that all necessary documents have been executed to carry out this Scheme. The Committee shall be entitled to be paid by the Railway Company for their services in negotiating and carrying into effect this Scheme reasonable remuneration to be agreed between the Committee and the Directors of the Railway Company such remuneration to be charged as part of the working expenses of the Railway Company.

33. After this Scheme has become operative the Scheme of 1916 shall cease to have effect but so that this Clause shall not affect the continuation of the Committee and the exercise of its powers for the purposes of carrying out and giving effect to this Scheme, but only to the extent that the Committee may deem necessary for that purpose.

34. The expression "the New Committee" shall mean a committee to represent the holders of the New Railway Securities which shall be constituted by the Trust Deed securing the New Railway Securities, which Trust Deed shall lay down how such committee is to be constituted and remunerated, how vacancies are to be filled and how the proceedings of the New Committee are to be conducted and regulated. Provided always that the first members of the New Committee shall be those members of the Committee in office at the date when this Scheme shall become operative and that power shall be reserved to the holders of the New Railway Securities at a meeting of such holders duly convened and held in accordance with provisions to be inserted in the Trust Deed securing the New Railway Securities to remove or appoint members of the New Committee and to amend any of the provisions of such Trust Deed relating to the matters above mentioned. The New Committee shall remain in office until the interest on the New Railway Securities has become a fixed charge or until the New Railway Securities have been repaid, whichever shall first happen, whereupon the powers of the New Committee shall cease.

35 (a). The expression "net earnings" as applied to the Railway Company shall mean the gross earnings and receipts of the Railway Company (including any surplus earnings of the Terminal Company remaining after meeting the obligations of the Terminal Company in respect of the New Terminal Securities and other outgoings) from all sources on revenue account as distinguished from capital account less all working expenditure as defined by the Railway Act of Canada and less the remuneration and expenses of the New Committee and such sums for expenses depreciation contingencies or otherwise as may be agreed between the Directors of The Lake Superior Corporation and the Directors of the Railway Company or as failing agreement may be settled by a single Arbitrator to be appointed by the President for the time being of the Dominion Association of Chartered Accountants (of Canada). The certificate of the Auditors of The Railway Company as to the net earnings of the Railway Company of any year shall be conclusive.

(b) The expression "net income" as applied to the Holding Company shall mean the gross earnings and receipts of the Holding Company from all sources on revenue account as distinguished from capital account less all operating and administration expenses properly chargeable to revenue and less interest and Sinking Fund (up to 2 per cent. of their par value) payable in respect of any debts or obligations of the Holding Company other than the Income Debenture Stock and Bonds of the Holding Company and less a reasonable sum for any other expenses depreciation contingencies or otherwise to be agreed between the New Committee and the Directors of the Holding Company or failing agreement to be settled by a single Arbitrator to be appointed by the President for the time being of The Dominion Association of Chartered Accountants (of Canada).

(c) In the case both of the Railway Company and the Holding Company the Board of Directors shall with the approval of the New Committee be entitled to carry forward to the following year any sum not exceeding 1 per cent. of the total amount of the New Railway Securities or the Income Debenture Stock and Bonds of the Holding Company for the time being outstanding as the case may be instead of applying such sum in payment of interest under this Scheme.

(d) If The Lake Superior Corporation shall be placed in liquidation or shall be dissolved then any right which under the provisions of this Scheme is to be exercised or any consent or approval which under such provisions is to be given by the Directors of The Lake Superior Corporation shall thereafter be exercised or given by the Directors of the Holding Company.

36. This Scheme shall only become operative:—

(a) When all necessary resolutions of the Shareholders of the Railway and Terminal Companies and of any class of such Shareholders shall have been passed.

(b) When there shall have been deposited with the Committee for exchange under this Scheme, 75 per cent. in nominal value of all the existing Bonds of both the Railway and Terminal Companies or such smaller percentage of either or both of the said Bond issues as may be approved by the Committee and the Directors of The Lake Superior Corporation.

(c) When arrangements satisfactory to the Committee shall have been made for the sale of the Bonds and Shares of the Algoma Eastern Terminals Limited referred to in Clause 1 hereof for a sum approved by the Committee such approval not to be withheld in the case of a price of par plus accrued interest or any higher price.

(d) When the same has been approved by the Railway and Terminal Bondholders by Extraordinary Resolutions passed at meetings of such Bondholders summoned and held pursuant to the provisions of the Trust Deeds securing the existing Railway and Terminal Bonds and provided that a Certificate by the Chairman of the respective meetings shall be conclusive evidence of the due passing thereof of the said respective Resolutions.

(e) When the same has been approved by a Resolution passed at a meeting of the Directors of The Lake Superior Corporation duly convened and held, and a copy of such Resolution certified true by the Secretary under the Seal of The Lake Superior Corporation has been delivered to the Committee.

(f) When the holders of at least 75 per cent. or such smaller percentage as may be approved by the Committee and the Directors of The Lake Superior Corporation of the Shares of The Lake Superior Corporation shall have deposited their said Shares with the Holding Company or with a Trust Company approved by the Committee for exchange for Preferred Stock and Common Shares of the Holding Company as provided in Clause 8 (a) of this Scheme as to which a certificate by the Secretary of the Holding Company or by the said Trust Company as the case may be shall be conclusive evidence.

(g) When an Act of the Parliament of Canada and (if so required by the Directors of The Lake Superior Corporation or the Committee) of the Legislature of the Province of Ontario has been obtained confirming this Scheme.

(h) When the Committee shall certify that they are satisfied that the aforesaid conditions have been complied with and that the Holding Company has been formed. For the purposes of this clause the certificate of a Canadian lawyer selected by the Committee and approved by the Directors of The Lake Superior Corporation that

proper releases of all of the mortgages and charges securing the existing Railway and Terminal Bonds have been deposited and registered at the appropriate offices shall be taken as conclusive evidence that the provisions of Clause 25 hereof have been complied with so far as the surrender and cancellation of all mortgages and charges securing the said respective Bonds is concerned.

And unless the above conditions shall have been complied with not later than the 30th day of April, 1931, or such later date as may be agreed in writing between the Committee and the Directors of The Lake Superior Corporation, this Scheme shall be void and of no effect, and all parties shall be remitted to their original rights as if this Scheme had never been prepared.

37. In the event of any discrepancy between the English and French texts of this Scheme the English text shall prevail.

Dated, 25th November, 1930.

BILL

An Act respecting the Algoma Central Railway.

1st Reading

February 23rd, 1931

2nd Reading

March 25th, 1931

3rd Reading

March 27th, 1931

MR. LYONS

2ND SESSION, 18TH LEGISLATURE, ONTARIO

21 GEORGE V, 1931

BILL

An Act respecting the Town of Weston.

MR. GODFREY

(PRIVATE BILL)

TORONTO

PRINTED BY HERBERT H. BALL

PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

No. 27

1931

BILL

An Act respecting the Town of Weston.

Preamble.

WHEREAS the corporation of the town of Weston has by its petition represented it to be desirable that its by-law number 614 and an agreement dated the 29th day of July, 1930, made between the said corporation and its council, the council and corporation of the county of York and the Toronto and York Roads Commission, and the debentures issued or to be issued under the said by-law should be confirmed; and whereas the said corporation by its said petition has also represented it to be desirable that sales of lands for taxes in the said town of Weston should be confirmed; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Town of Weston Act, 1931*.

By-law
No. 614
and
debentures
confirmed.

2. By-law number 614 passed by the corporation of the town of Weston on the 9th day of February, 1931, to provide for borrowing the sum of \$38,671.60 upon debentures to pay for the cost of part of a pavement constructed on Dufferin Street in the said town as a local improvement, and all debentures issued or to be issued under the said by-law are hereby ratified and confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof.

Agreement
in
schedule "A"
confirmed.

3. The agreement dated the 29th day of July, 1930, made between the council and corporation of the county of York, the Toronto and York Roads Commission, and the said corporation and its council, set out in schedule "A" hereto, is hereby ratified and confirmed and declared to be legal, valid and binding upon the parties thereto and the successors and assigns of them respectively.

Tax sales
and
conveyances
confirmed.

4.—(1) All sales of land within the town of Weston made prior to the 31st of December, 1929, which purport to have

been made by the said corporation or its treasurer for arrears of taxes in respect to the lands so sold, are hereby validated and confirmed, and all conveyances of land so sold executed by the mayor and treasurer of the said corporation purporting to convey the said lands so sold to the purchaser thereof or his heirs or assigns, or to the said corporation, shall have the effect of vesting the lands so sold in the purchaser or his heirs or assigns and his or their heirs and assigns or in the said corporation and its successors and assigns, as the case may be, in fee simple and clear of and free from all right, title and interest whatsoever of the owners thereof at the time of said sale, or their assigns, and all charges and encumbrances thereon and dower therein, except taxes accruing after those for non-payment of which the lands were sold.

Pending
litigation.

(2) Nothing in this section contained shall affect or prejudice the rights of any person under pending litigation.

Commence-
ment of Act.

5. The provisions of this Act other than section 4 shall come into force on the day upon which it receives the Royal Assent. Section 4 shall come into force on the 1st day of July, 1931.

SCHEDULE "A"

THIS AGREEMENT made in duplicate the 29th day of July, 1930.

BETWEEN:

THE COUNCIL OF THE TOWN OF WESTON,
hereinafter called the party

of the first part;

THE COUNCIL OF THE COUNTY OF YORK,
hereinafter called the party

of the second part;

THE TORONTO AND YORK ROADS COMMISSION,
hereinafter called the party

of the third part;

THE CORPORATION OF THE TOWN OF WESTON,
hereinafter called the party

of the fourth part;

—and—

THE CORPORATION OF THE COUNTY OF YORK,
hereinafter called the party

of the fifth part.

Whereas it is provided by *The Highway Improvement Act, 1927*, Chapter 54, Section 26, subsection 1, that the Council of any town may enter into an agreement with the Council of the County in which the said town is situated for the purpose of providing a wider pavement or other special construction upon a County Road within such town.

And whereas it is further provided that such agreement may provide that the cost of the work over and above the amount paid by the County under the provisions of the said Act and amendments thereto shall be assessed under and according to the provisions of *The Local Improvement Act* against the owners to be specially benefited and against the township, town or incorporated village respectively according to the report of an engineer.

And whereas the County of York is prepared to pay the cost of constructing a sheet asphalt pavement on Dufferin Street, a County Road within the Town of Weston, from the easterly limit of Rosemount Avenue to the westerly limit of Jane Street having a width of twenty feet (20').

And whereas Frank Marshall, Esquire, Engineer, has made a report in regard to the assessment of the cost, over and above the amount payable by the County as aforesaid, of constructing a thirty-two foot sheet asphalt pavement with curbs, gutters and storm sewer, on Dufferin Street, from the easterly limit of Rosemount Avenue to the westerly limit of Jane Street.

Now therefore this agreement witnesseth that in consideration of the premises, the parties hereto agree as follows:

(1) The Toronto and York Roads Commission shall construct a thirty-two foot sheet asphalt pavement with curbs, gutters and storm sewer on Dufferin Street in the Town of Weston, from the easterly limit of Rosemount Avenue to the westerly limit of Jane Street.

(2) The County of York shall pay the cost of constructing a sheet asphalt pavement twenty feet in width on Dufferin Street, a County Road within the Town of Weston from the easterly limit of Rosemount Avenue to the westerly limit of Jane Street.

(3) The cost of the said work, being the construction of the said thirty-two foot sheet asphalt pavement with curbs, gutters and storm

sewer, over and above the amount paid by the County of York, under the provisions of *The Highway Improvement Act* and amendments thereto, being the cost of constructing the said sheet asphalt pavement twenty feet in width on Dufferin Street, a County Road within the Town of Weston from the easterly limit of Rosemount Avenue to the westerly limit of Jane Street, shall be assessed under and according to the provisions of *The Local Improvement Act* against the owners of land to be specially benefited and against the Town of Weston, respectively, according to the report of Frank Marshall, Esquire, Engineer.

(4) The Town of Weston shall pay the Contractor designated by The Toronto and York Roads Commission the balance of the contract price for the said work after deducting the County of York's share of the contract price of the said work on the basis hereinbefore provided, such payment to be made upon the Certificates of H. C. Rose, Engineer for The Toronto and York Roads Commission.

(5) Frank Marshall, Esquire, Engineer for the Town of Weston, shall consult with the said H. C. Rose, Engineer for The Toronto and York Roads Commission, in regard to the said work and assist him in the supervision thereof.

(6) The Town of Weston shall pay for the maintenance and repair of the said pavement including curbs, gutters and storm sewer, excepting the centre twenty feet of the said pavement.

This agreement is ratified and confirmed by the parties of the Fourth and Fifth Parts.

In witness whereof the said parties have this day affixed their corporate seals attested by the hands of the proper officers in that behalf.

THE COUNCIL OF THE TOWN OF WESTON and
THE CORPORATION OF THE TOWN OF WESTON.

(Sgd.) A. L. COULTER,
Mayor.

(Sgd.) H. G. MUSSON,
Clerk.

THE COUNCIL OF THE COUNTY OF YORK and
THE CORPORATION OF THE COUNTY OF YORK.

(Sgd.) E. G. FARR,
Warden.

(Sgd.) R. W. PHILLIPS,
Clerk.

THE TORONTO AND YORK ROADS COMMISSION,

(Sgd.) D. SPENCE,
Chairman.

(Sgd.) R. W. PHILLIPS,
Secretary.

BILL

An Act respecting the Town of Weston.

1st Reading

2nd Reading

3rd Reading

MR. GODFREY

(Private Bill)

No. 27

2ND SESSION, 18TH LEGISLATURE, ONTARIO
21 GEORGE V, 1931

BILL

An Act respecting the Town of Weston.

MR. GODFREY

TORONTO
PRINTED BY HERBERT H. BALL
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

BILL

An Act respecting the Town of Weston.

Preamble.

WHEREAS the corporation of the town of Weston has by its petition represented it to be desirable that its by-law number 614 and an agreement dated the 29th day of July, 1930, made between the said corporation and its council, the council and corporation of the county of York and the Toronto and York Roads Commission, and the debentures issued or to be issued under the said by-law should be confirmed; and whereas the said corporation by its said petition has also represented it to be desirable that sales of lands for taxes in the said town of Weston should be confirmed; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Town of Weston Act, 1931.*

By-law No. 614 and debentures confirmed.

2. By-law number 614 passed by the corporation of the town of Weston on the 9th day of February, 1931, to provide for borrowing the sum of \$38,671.60 upon debentures to pay for the cost of part of a pavement constructed on Dufferin Street in the said town as a local improvement, and all debentures issued or to be issued under the said by-law are hereby ratified and confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof.

Agreement in schedule "A" confirmed.

3. The agreement dated the 29th day of July, 1930, made between the council and corporation of the county of York, the Toronto and York Roads Commission, and the said corporation and its council, set out in schedule "A" hereto, is hereby ratified and confirmed and declared to be legal, valid and binding upon the parties thereto and the successors and assigns of them respectively.

Tax sales and conveyances confirmed.

4.—(1) All sales of land within the town of Weston made prior to the 31st of December, 1929, which purport to have

been made by the said corporation or its treasurer for arrears of taxes in respect to the lands so sold, are hereby validated and confirmed, and all conveyances of land so sold executed by the mayor and treasurer of the said corporation purporting to convey the said lands so sold to the purchaser thereof or his heirs or assigns, or to the said corporation, shall have the effect of vesting the lands so sold in the purchaser or his heirs or assigns and his or their heirs and assigns or in the said corporation and its successors and assigns, as the case may be, in fee simple and clear of and free from all right, title and interest whatsoever of the owners thereof at the time of said sale, or their assigns, and all charges and encumbrances thereon and dower therein, except taxes accruing after those for non-payment of which the lands were sold.

(2) Nothing in this section contained shall affect or prejudice the rights of any person under any action, litigation or other proceedings now pending, but the same may be proceeded with and finally adjudicated upon in the same manner and as fully and effectually as if this Act had not been passed. Pending litigation.

5. The provisions of this Act other than section 4 shall come into force on the day upon which it receives the Royal Assent. Section 4 shall come into force on the 1st day of July, 1931. Commencement of Act.

SCHEDULE "A"

THIS AGREEMENT made in duplicate the 29th day of July, 1930.

BETWEEN:

THE COUNCIL OF THE TOWN OF WESTON,
hereinafter called the party

of the first part;

THE COUNCIL OF THE COUNTY OF YORK,
hereinafter called the party

of the second part;

THE TORONTO AND YORK ROADS COMMISSION,
hereinafter called the party

of the third part;

THE CORPORATION OF THE TOWN OF WESTON,
hereinafter called the party

of the fourth part;

—and—

THE CORPORATION OF THE COUNTY OF YORK,
hereinafter called the party

of the fifth part.

Whereas it is provided by *The Highway Improvement Act, 1927*, Chapter 54, Section 26, subsection 1, that the Council of any town may enter into an agreement with the Council of the County in which the said town is situated for the purpose of providing a wider pavement or other special construction upon a County Road within such town.

And whereas it is further provided that such agreement may provide that the cost of the work over and above the amount paid by the County under the provisions of the said Act and amendments thereto shall be assessed under and according to the provisions of *The Local Improvement Act* against the owners to be specially benefited and against the township, town or incorporated village respectively according to the report of an engineer.

And whereas the County of York is prepared to pay the cost of constructing a sheet asphalt pavement on Dufferin Street, a County Road within the Town of Weston, from the easterly limit of Rosemount Avenue to the westerly limit of Jane Street having a width of twenty feet (20').

And whereas Frank Marshall, Esquire, Engineer, has made a report in regard to the assessment of the cost, over and above the amount payable by the County as aforesaid, of constructing a thirty-two foot sheet asphalt pavement with curbs, gutters and storm sewer, on Dufferin Street, from the easterly limit of Rosemount Avenue to the westerly limit of Jane Street.

Now therefore this agreement witnesseth that in consideration of the premises, the parties hereto agree as follows:

(1) The Toronto and York Roads Commission shall construct a thirty-two foot sheet asphalt pavement with curbs, gutters and storm sewer on Dufferin Street in the Town of Weston, from the easterly limit of Rosemount Avenue to the westerly limit of Jane Street.

(2) The County of York shall pay the cost of constructing a sheet asphalt pavement twenty feet in width on Dufferin Street, a County Road within the Town of Weston from the easterly limit of Rosemount Avenue to the westerly limit of Jane Street.

(3) The cost of the said work, being the construction of the said thirty-two foot sheet asphalt pavement with curbs, gutters and storm

sewer, over and above the amount paid by the County of York, under the provisions of *The Highway Improvement Act* and amendments thereto, being the cost of constructing the said sheet asphalt pavement twenty feet in width on Dufferin Street, a County Road within the Town of Weston from the easterly limit of Rosemount Avenue to the westerly limit of Jane Street, shall be assessed under and according to the provisions of *The Local Improvement Act* against the owners of land to be specially benefited and against the Town of Weston, respectively, according to the report of Frank Marshall, Esquire, Engineer.

(4) The Town of Weston shall pay the Contractor designated by The Toronto and York Roads Commission the balance of the contract price for the said work after deducting the County of York's share of the contract price of the said work on the basis hereinbefore provided, such payment to be made upon the Certificates of H. C. Rose, Engineer for The Toronto and York Roads Commission.

(5) Frank Marshall, Esquire, Engineer for the Town of Weston, shall consult with the said H. C. Rose, Engineer for The Toronto and York Roads Commission, in regard to the said work and assist him in the supervision thereof.

(6) The Town of Weston shall pay for the maintenance and repair of the said pavement including curbs, gutters and storm sewer, excepting the centre twenty feet of the said pavement.

This agreement is ratified and confirmed by the parties of the Fourth and Fifth Parts.

In witness whereof the said parties have this day affixed their corporate seals attested by the hands of the proper officers in that behalf.

THE COUNCIL OF THE TOWN OF WESTON and
THE CORPORATION OF THE TOWN OF WESTON.

(Sgd.) A. L. COULTER,
Mayor.

(Sgd.) H. G. MUSSON,
Clerk.

THE COUNCIL OF THE COUNTY OF YORK and
THE CORPORATION OF THE COUNTY OF YORK.

(Sgd.) E. G. FARR,
Warden.

(Sgd.) R. W. PHILLIPS,
Clerk.

THE TORONTO AND YORK ROADS COMMISSION,

(Sgd.) D. SPENCE,
Chairman.

(Sgd.) R. W. PHILLIPS,
Secretary.

BILL

An Act respecting the Town of Weston.

1st Reading

February 20th, 1931

2nd Reading

February 27th, 1931

3rd Reading

March 13th, 1931

MR. GODFREY

No. 28

2ND SESSION, 18TH LEGISLATURE, ONTARIO
21 GEORGE V, 1931

BILL

An Act respecting the City of Ottawa.

MR. ELLIS

(PRIVATE BILL)

TORONTO
PRINTED BY HERBERT H. BALL
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

BILL

An Act respecting the City of Ottawa.

Preamble.

WHEREAS the corporation of the city of Ottawa has by its petition prayed that it should be enacted as hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The City of Ottawa Act, 1931*.

Issue of debentures for waterworks purposes.

2. The corporation of the city of Ottawa may provide by by-law for an issue or issues of debentures payable within thirty years from their date and not exceeding the following amounts for the purposes specified,—

- (a) \$75,000 for the cost of constructing and extending watermains and water services;
- (b) \$60,000 for the purchase and installation of water pumps and equipment at the Queen Street pumping station;
- (c) \$15,000 for the purchase and installation of water meters.

Debt to be discharged from water rates.

3. For the payment of the debt and interest represented by the debentures to be issued under the authority of section 2 of this Act, there shall be raised annually by the said corporation during their currency, with the authority conferred in, and by, an Act passed in the thirty-fifth year of the reign of Her late Majesty Queen Victoria, chaptered 80, and intituled *An Act for the construction of Waterworks for the City of Ottawa*, from the water rates, a sum sufficient to discharge the said debt and interest, when and as the same shall respectively become due, such sum to be in addition to the money required to be raised to meet the charges of maintenance and cost of

1871-2,
c. 80.

renewals in connection with the said waterworks, and for the payment of the principal and interest of all debts heretofore contracted for the purposes of the said waterworks, but if at any time, the moneys accruing from the said water rates shall prove insufficient for the purposes aforesaid, then, when and so often as the said deficiency shall occur, there shall be raised, levied and collected by the said corporation, by a special rate upon the assessable property of the said corporation, according to the then last revised assessment roll thereof, a sum sufficient to make good such deficiency.

Issue of
20-year
debentures
for
specified
purposes.

4. The said corporation may provide by by-law for an issue or issues of debentures payable within twenty years from their date, and not exceeding the following amounts for the purposes specified,—

- (a) \$300,000 to provide for the completion of certain storm sewers;
- (b) \$100,000 to provide for the expenditures made and to be made by the corporation to prevent flooding by the Rideau River;
- (c) \$50,000 to provide for altering, enlarging, equipping and furnishing the buildings of the Royal Ottawa Sanatorium;
- (d) \$100,000 to provide for constructing and equipping a garbage incinerator;
- (e) \$40,000 to provide for purchasing and installing machinery and equipment for an asphalt plant;
- (f) \$20,000 to provide for a donation to the Union Mission for Men to be applied in constructing an addition to its buildings;
- (g) \$65,000 to provide for the discount on the sale of debentures authorized by by-laws numbers 6882, 6922, 7004, 6921, 6835, 6926 and 6629;
- (h) \$35,000 to provide for improving and altering the Grand Stand Building at Lansdowne Park, and for improvements to the tourists' camp.

Issue of
10-year
debentures
for
specified
purposes.

5. The said corporation may provide by by-law for an issue or issues of debentures payable within ten years from their date and not exceeding the following amounts for the purposes specified,—

- (a) \$35,000 for the purchase of fire department equipment;

- (b) \$25,000 for the purchase of road machinery, plant and equipment.
- (c) \$10,000 to provide for a contribution by the said corporation towards the cost of widening, improving and paving Beechwood Avenue between the easterly limit of the said city and the Beechwood Cemetery;
- (d) \$300,000 to fund the floating obligations of the said corporation;
- (e) \$50,000 to provide for the said corporation's share of the cost of repaving, widening and improving Bridge Street between Duke Street and the Chaudiere Bridge;
- (f) \$10,000 to provide for the cost of purchasing and installing traffic control equipment.

Assent of electors not required.

6.—(1) It shall not be necessary for the said corporation to obtain the assent of the electors of the said city qualified to vote on money by-laws, to the passing of any of the money by-laws authorized by sections 2, 4 and 5 of this Act, or to observe in respect thereto the formalities prescribed by *The Municipal Act* in relation to the passing of money by-laws.

Rev. Stat., c. 233.

Rate of interest.

(2) Debentures issued under the provisions of any of the said by-laws shall bear interest at such rate as the council of the said corporation shall in such by-law determine, and the principal and interest thereof may be made payable in any manner authorized by *The Municipal Act*.

Rev. Stat., c. 233.

Irregularity in form not to invalidate.

(3) No irregularity in the form of any of the debentures issued under the authority of this Act, or in any by-law authorizing the issue thereof, shall render the same invalid, or be allowed as a defence to any action brought against the said corporation for the recovery of the amount thereof, or any part thereof, or the interest thereon.

Consolidation of debenture issues.

7. The said corporation instead of borrowing, by separate money by-laws, the sums authorized by sections 4 and 5 of this Act, may consolidate any two or more of such borrowings of like maturity and issue one series of debentures therefor; provided that each such consolidating by-law shall show by recitals or otherwise, the separate sums which make up the total borrowing, and the purposes for which such sums are to be expended.

Aid for winter carnival.

8. The said corporation may grant out of its current revenues in the year 1931 and thereafter a sum not exceeding \$5,000

in any year as a contribution towards the cost of holding a winter carnival.

Tax sales
and
conveyances
confirmed.

9.—(1) All sales of land within the city of Ottawa made by the treasurer thereof prior to the 31st day of December, 1929, purporting to be made for arrears of taxes due in respect to the lands so sold are validated and confirmed and all conveyances of such lands so sold heretofore or hereafter executed by the mayor, treasurer and clerk of the said city, purporting to convey the said lands to the purchaser thereof, or to his heirs or assigns, or to the said corporation, shall have the effect of vesting the lands so sold in the purchaser thereof or his heirs or assigns and his or their heirs and assigns, or in the said corporation, its successors and assigns, as the case may be, in fee simple, and clear of and free from all right, title, interest and claim whatsoever of the former owners thereof at the time of such sale, and their assigns, and of and from all mortgages, charges, liens and encumbrances thereon and dower therein except taxes accruing after those for the non-payment of which the said lands were sold.

Pending
litigation.

(2) Nothing in this section contained shall affect any action, litigation or other proceeding now pending, but the same may be proceeded with and finally adjudicated upon in the same manner and to the same extent as if this Act had not been passed.

Civic
hospital
trustees.

1919,
c. 122.

10. Notwithstanding anything to the contrary contained in *The Ottawa Civic Hospital Act*, being chapter 122 of the Acts passed in the ninth year of the reign of His Majesty King George the Fifth, any member of the council of the said corporation who is also a member of the staff of the said hospital may be appointed by the council a trustee of the said hospital in the manner provided by subsection 1 of section 6 of the said Act.

Commence-
ment of Act.

11. The provisions of this Act, other than section 9, shall come into force on the day upon which it receives the Royal Assent. Section 9 shall come into force on the 1st day of July, 1931.

BILL

An Act respecting the City of Ottawa.

1st Reading

2nd Reading

3rd Reading

MR. ELLIS

(*Private Bill*)

2ND SESSION, 18TH LEGISLATURE, ONTARIO

21 GEORGE V, 1931

BILL

An Act respecting the City of Ottawa.

MR. ELLIS

(PRIVATE BILL)

TORONTO

PRINTED BY HERBERT H. BALL

PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

BILL

An Act respecting the City of Ottawa.

Preamble.

WHEREAS the corporation of the city of Ottawa has by its petition prayed that it should be enacted as hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The City of Ottawa Act, 1931*.

Issue of debentures for waterworks purposes.

2. The corporation of the city of Ottawa may provide by by-law for an issue or issues of debentures payable within thirty years from their date and not exceeding the following amounts for the purposes specified,—

- (a) \$75,000 for the cost of constructing and extending watermains and water services;
- (b) \$60,000 for the purchase and installation of water pumps and equipment at the Queen Street pumping station;
- (c) \$15,000 for the purchase and installation of water meters.

Debt to be discharged from water rates.

3. For the payment of the debt and interest represented by the debentures to be issued under the authority of section 2 of this Act, there shall be raised annually by the said corporation during their currency, with the authority conferred in, and by, an Act passed in the thirty-fifth year of the reign of Her late Majesty Queen Victoria, chaptered 80, and intituled *An Act for the construction of Waterworks for the City of Ottawa*, from the water rates, a sum sufficient to discharge the said debt and interest, when and as the same shall respectively become due, such sum to be in addition to the money required to be raised to meet the charges of maintenance and cost of

1871-2,
c. 80.

renewals in connection with the said waterworks, and for the payment of the principal and interest of all debts heretofore contracted for the purposes of the said waterworks, but if at any time, the moneys accruing from the said water rates shall prove insufficient for the purposes aforesaid, then, when and so often as the said deficiency shall occur, there shall be raised, levied and collected by the said corporation, by a special rate upon the assessable property of the said corporation, according to the then last revised assessment roll thereof, a sum sufficient to make good such deficiency.

Issue of
20-year
debentures
for
specified
purposes.

4. The said corporation may provide by by-law for an issue or issues of debentures payable within twenty years from their date, and not exceeding the following amounts for the purposes specified,—

- (a) \$300,000 to provide for the completion of certain storm sewers;
- (b) \$50,000 to provide for altering, enlarging, equipping and furnishing the buildings of the Royal Ottawa Sanatorium;
- (c) \$100,000 to provide for constructing and equipping a garbage incinerator;
- (d) \$20,000 to provide for a donation to the Union Mission for Men to be applied in constructing an addition to its buildings;
- (e) \$65,000 to provide for the discount on the sale of debentures authorized by by-laws numbers 6882, 6922, 7004, 6921, 6835, 6926 and 6629;
- (f) \$35,000 to provide for improving and altering the Grand Stand Building at Lansdowne Park, and for improvements to the tourists' camp.
- (g) \$250,000 to provide for the cost of repairs to the main sewers of the corporation rendered necessary by sewer explosions.

Issue of
10-year
debentures
for
specified
purposes.

5. The said corporation may provide by by-law for an issue or issues of debentures payable within ten years from their date and not exceeding the following amounts for the purposes specified,—

- (a) \$10,000 to provide for a contribution by the said corporation towards the cost of widening, improving and paving Beechwood Avenue between the easterly limit of the said city and the Beechwood Cemetery;

(b) \$300,000 to fund the floating obligations of the said corporation;

Assent of electors not required.

6.—(1) It shall not be necessary for the said corporation to obtain the assent of the electors of the said city qualified to vote on money by-laws, to the passing of any of the money by-laws authorized by sections 2, 4 and 5 of this Act, or to observe in respect thereto the formalities prescribed by *The Municipal Act* in relation to the passing of money by-laws.

Rev. Stat., c. 233.

Rate of interest.

(2) Debentures issued under the provisions of any of the said by-laws shall bear interest at such rate as the council of the said corporation shall in such by-law determine, and the principal and interest thereof may be made payable in any manner authorized by *The Municipal Act*.

Rev. Stat., c. 233.

Irregularity in form not to invalidate.

(3) No irregularity in the form of any of the debentures issued under the authority of this Act, or in any by-law authorizing the issue thereof, shall render the same invalid, or be allowed as a defence to any action brought against the said corporation for the recovery of the amount thereof, or any part thereof, or the interest thereon.



Consolidation of debenture issues.

7. The said corporation instead of borrowing, by separate money by-laws, the sums authorized by sections 4 and 5 of this Act, may consolidate any two or more of such borrowings of like maturity and issue one series of debentures therefor; provided that each such consolidating by-law shall show by recitals or otherwise, the separate sums which make up the total borrowing, and the purposes for which such sums are to be expended.

Aid for winter carnival.

8.—(1) The said corporation may grant out of its current revenues in the year 1931 and thereafter a sum not exceeding \$5,000 in any year as a contribution towards the cost of holding a winter carnival.

Aid for certain purposes beneficial to inhabitants.

 (2) The said corporation may grant annually in the year 1931 and thereafter out of its current revenues such sum or sums of money not exceeding in the aggregate \$4,000 in any year in aid of such institutions, associations and persons carrying on or engaged in works which in the opinion of the council of the said corporation, expressed by resolution, are for the general advantage of the inhabitants of the said city, but in respect of which no express authority to grant aid is conferred by *The Municipal Act*. 

Rev. Stat., c. 233.

Tax sales and conveyances confirmed.

9.—(1) All sales of land within the city of Ottawa made by the treasurer thereof prior to the 31st day of December, 1929, purporting to be made for arrears of taxes due in respect



to the lands so sold are validated and confirmed and all conveyances of such lands so sold heretofore or hereafter executed by the mayor, treasurer and clerk of the said city, purporting to convey the said lands to the purchaser thereof, or to his heirs or assigns, or to the said corporation, shall have the effect of vesting the lands so sold in the purchaser thereof or his heirs or assigns and his or their heirs and assigns, or in the said corporation, its successors and assigns, as the case may be, in fee simple, and clear of and free from all right, title, interest and claim whatsoever of the former owners thereof at the time of such sale, and their assigns, and of and from all mortgages, charges, liens and encumbrances thereon and dower therein except taxes accruing after those for the non-payment of which the said lands were sold.

Pending
litigation.

(2) Nothing in this section contained shall affect any action, litigation or other proceeding now pending, but the same may be proceeded with and finally adjudicated upon in the same manner and to the same extent as if this Act had not been passed.

Grant to
Andrew F.
Macallum.

Rev. Stat.,
c. 233.

 **10.** Notwithstanding anything to the contrary contained in *The Municipal Act*, the said corporation may grant out of its current revenues for the year 1931 to Andrew F. Macallum, former Commissioner of Works of the said corporation, a retiring allowance equivalent to one year's salary. 

Commence-
ment of Act.

11. The provisions of this Act, other than section 9, shall come into force on the day upon which it receives the Royal Assent. Section 9 shall come into force on the 1st day of July, 1931.

BILL

An Act respecting the City of Ottawa.

1st Reading

February 27th, 1931

2nd Reading

3rd Reading

MR. ELLIS

*(Reprinted as amended by the Private
Bills Committee)*

No. 28

2ND SESSION, 18TH LEGISLATURE, ONTARIO
21 GEORGE V, 1931

BILL

An Act respecting the City of Ottawa.

MR. ELLIS

TORONTO
PRINTED BY HERBERT H. BALL
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

No. 28

1931

BILL

An Act respecting the City of Ottawa.

Preamble.

WHEREAS the corporation of the city of Ottawa has by its petition prayed that it should be enacted as hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The City of Ottawa Act, 1931*.

Issue of
debentures
for
waterworks
purposes.

2. The corporation of the city of Ottawa may provide by by-law for an issue or issues of debentures payable within thirty years from their date and not exceeding the following amounts for the purposes specified,—

(a) \$75,000 for the cost of constructing and extending watermains and water services;

(b) \$60,000 for the purchase and installation of water pumps and equipment at the Queen Street pumping station;

(c) \$15,000 for the purchase and installation of water meters.

Debt
to be
discharged
from
water rates.

3. For the payment of the debt and interest represented by the debentures to be issued under the authority of section 2 of this Act, there shall be raised annually by the said corporation during their currency, with the authority conferred in, and by, an Act passed in the thirty-fifth year of the reign of Her late Majesty Queen Victoria, chaptered 80, and intituled *An Act for the construction of Waterworks for the City of Ottawa*, from the water rates, a sum sufficient to discharge the said debt and interest, when and as the same shall respectively become due, such sum to be in addition to the money required to be raised to meet the charges of maintenance and cost of

1871-2,
c. 80.

renewals in connection with the said waterworks, and for the payment of the principal and interest of all debts heretofore contracted for the purposes of the said waterworks, but if at any time, the moneys accruing from the said water rates shall prove insufficient for the purposes aforesaid, then, when and so often as the said deficiency shall occur, there shall be raised, levied and collected by the said corporation, by a special rate upon the assessable property of the said corporation, according to the then last revised assessment roll thereof, a sum sufficient to make good such deficiency. ;

4. The said corporation may provide by by-law for an issue or issues of debentures payable within twenty years from their date, and not exceeding the following amounts for the purposes specified,—

Issue of
20-year
debentures
for
specified
purposes.

- (a) \$300,000 to provide for the completion of certain storm sewers;
- (b) \$50,000 to provide for altering, enlarging, equipping and furnishing the buildings of the Royal Ottawa Sanatorium;
- (c) \$100,000 to provide for constructing and equipping a garbage incinerator;
- (d) \$20,000 to provide for a donation to the Union Mission for Men to be applied in constructing an addition to its buildings;
- (e) \$65,000 to provide for the discount on the sale of debentures authorized by by-laws numbers 6882, 6922, 7004, 6921, 6835, 6926 and 6629;
- (f) \$35,000 to provide for improving and altering the Grand Stand Building at Lansdowne Park, and for improvements to the tourists' camp.
- (g) \$250,000 to provide for the cost of repairs to the main sewers of the corporation rendered necessary by sewer explosions.

5. The said corporation may provide by by-law for an issue or issues of debentures payable within ten years from their date and not exceeding the following amounts for the purposes specified,—

Issue of
10-year
debentures
for
specified
purposes.

- (a) \$10,000 to provide for a contribution by the said corporation towards the cost of widening, improving and paving Beechwood Avenue between the easterly limit of the said city and the Beechwood Cemetery;

(b) \$300,000 to fund the floating obligations of the said corporation;

Assent of electors not required.

6.—(1) It shall not be necessary for the said corporation to obtain the assent of the electors of the said city qualified to vote on money by-laws, to the passing of any of the money by-laws authorized by sections 2, 4 and 5 of this Act, or to observe in respect thereto the formalities prescribed by *The Municipal Act* in relation to the passing of money by-laws.

Rev. Stat., c. 233.

Rate of interest.

(2) Debentures issued under the provisions of any of the said by-laws shall bear interest at such rate as the council of the said corporation shall in such by-law determine, and the principal and interest thereof may be made payable in any manner authorized by *The Municipal Act*.

Rev. Stat., c. 233.

Irregularity in form not to invalidate.

(3) No irregularity in the form of any of the debentures issued under the authority of this Act, or in any by-law authorizing the issue thereof, shall render the same invalid, or be allowed as a defence to any action brought against the said corporation for the recovery of the amount thereof, or any part thereof, or the interest thereon.

Consolidation of debenture issues.

7. The said corporation instead of borrowing, by separate money by-laws, the sums authorized by sections 4 and 5 of this Act, may consolidate any two or more of such borrowings of like maturity and issue one series of debentures therefor; provided that each such consolidating by-law shall show by recitals or otherwise, the separate sums which make up the total borrowing, and the purposes for which such sums are to be expended.

Aid for winter carnival.

8.—(1) The said corporation may grant out of its current revenues in the year 1931 and thereafter a sum not exceeding \$5,000 in any year as a contribution towards the cost of holding a winter carnival.

Aid for certain purposes beneficial to inhabitants.

(2) The said corporation may grant annually in the year 1931 and thereafter out of its current revenues such sum or sums of money not exceeding in the aggregate \$4,000 in any year in aid of such institutions, associations and persons carrying on or engaged in works which in the opinion of the council of the said corporation, expressed by resolution, are for the general advantage of the inhabitants of the said city, but in respect of which no express authority to grant aid is conferred by *The Municipal Act*.

Rev. Stat., c. 233.

Tax sales and conveyances confirmed.

9.—(1) All sales of land within the city of Ottawa made by the treasurer thereof prior to the 31st day of December, 1929, purporting to be made for arrears of taxes due in respect

to the lands so sold are validated and confirmed and all conveyances of such lands so sold heretofore or hereafter executed by the mayor, treasurer and clerk of the said city, purporting to convey the said lands to the purchaser thereof, or to his heirs or assigns, or to the said corporation, shall have the effect of vesting the lands so sold in the purchaser thereof or his heirs or assigns and his or their heirs and assigns, or in the said corporation, its successors and assigns, as the case may be, in fee simple, and clear of and free from all right, title, interest and claim whatsoever of the former owners thereof at the time of such sale, and their assigns, and of and from all mortgages, charges, liens and encumbrances thereon and dower therein except taxes accruing after those for the non-payment of which the said lands were sold.

(2) Nothing in this section contained shall affect any ^{Pending} action, litigation or other proceeding now pending, but the ^{litigation.} same may be proceeded with and finally adjudicated upon in the same manner and to the same extent as if this Act had not been passed.

10. Notwithstanding anything to the contrary contained in *The Municipal Act*, the said corporation may grant out of ^{Grant to} its current revenues for the year 1931 to Andrew F. Macallum, ^{Andrew F. Macallum.} former Commissioner of Works of the said corporation, a ^{Rev. Stat.,} retiring allowance equivalent to one year's salary. ^{c. 233.}

11. The provisions of this Act, other than section 9, shall ^{Commence-} come into force on the day upon which it receives the Royal ^{ment of Act.} Assent. Section 9 shall come into force on the 1st day of July, 1931.

BILL

An Act respecting the City of Ottawa.

1st Reading

February 27th, 1931

2nd Reading

March 18th, 1931

3rd Reading

March 23rd, 1931

MR. ELLIS

2ND SESSION, 18TH LEGISLATURE, ONTARIO
21 GEORGE V, 1931

BILL

An Act respecting the Town of Leamington.

MR. SMITH (Essex)

(PRIVATE BILL)

BILL

An Act respecting the Town of Leamington.

Preamble.

WHEREAS the corporation of the town of Leamington has by its petition represented that having obtained the assent of the electors of the said town, it desires to adopt a system of municipal government by a smaller elective council, with authority to govern the method and date of election, number and tenure of office of the members of the said council, and to appoint and employ a town manager, having the management and control generally over the administrative affairs of the said corporation, to the extent and in the manner hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Town of Leamington Act, 1931*.

Composition
of council.

2. From and after the thirty-first day of December, 1931, the council of the corporation of the town of Leamington shall be formed of and comprise a total of seven members, composed of the mayor, as many reeves and deputy-reeves as the said town shall be entitled to under *The Municipal Act*, and enough councillors to make the total of seven members; all of whom shall be elected by general vote of the electors of the said town, and each of whom shall hold office for the term of two years and until his successor is elected and takes office.

Vacancies
in council.

3.—(1) Subject to the provisions of subsection 2, where a vacancy occurs in the office of any member of council, the vacancy shall be filled in the same manner, *mutatis mutandis*, as is by section 165 of *The Municipal Act* provided for filling vacancies in the office of alderman in a city where aldermen are elected by general vote.

(2) Where a vacancy occurs in the office of mayor prior to the first day of May in the second year of the term for which he was elected a new election shall forthwith be held.

Town
manager,
appoint-
ment,
powers and
duties.

4.—(1) The council of the said corporation is authorized by by-law, to appoint a general administrative officer to be known as the town manager who shall have such general control and management of the administration of the government and affairs of the said corporation and perform such duties as the council shall by by-law define, limit and determine, and he shall be responsible for the efficient administration of all its departments to the extent that he shall be given authority and control over the same; and he shall hold office during the pleasure of the council and receive such salary as the council by by-law shall determine.

Hydro.
Commission
not
included.

(2) Nothing in this section shall apply to the Hydro-Electric Commission of the said town.

Rev. Stat.,
c. 233 and
other Acts
to apply
unless
inconsistent.

5. Except as by this Act varied, altered or changed, *The Municipal Act* and all other Acts now applicable to the said corporation, its council or officers, shall be in full force and effect.

Commence-
ment of Act.

6. This Act shall come into force on the day upon which it receives the Royal Assent.

BILL

An Act respecting the Town of
Leamington.

1st Reading

2nd Reading

3rd Reading

MR. SMITH (Essex)

(*Private Bill*)

No. 29

2ND SESSION, 18TH LEGISLATURE, ONTARIO
21 GEORGE V, 1931

BILL

An Act respecting the Town of Leamington.

MR. SMITH (Essex)

TORONTO
PRINTED BY HERBERT H. BALL
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

No. 29

1931

BILL

An Act respecting the Town of Leamington.

Preamble.

WHEREAS the corporation of the town of Leamington has by its petition represented that having obtained the assent of the electors of the said town, it desires to adopt a system of municipal government by a smaller elective council, with authority to govern the method and date of election, number and tenure of office of the members of the said council, and to appoint and employ a town manager, having the management and control generally over the administrative affairs of the said corporation, to the extent and in the manner hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Town of Leamington Act, 1931*.

Composition of council.

2. From and after the thirty-first day of December, 1931, the council of the corporation of the town of Leamington shall be formed of and comprise a total of seven members, composed of the mayor, as many reeves and deputy-reeves as the said town shall be entitled to under *The Municipal Act*, and enough councillors to make the total of seven members; all of whom shall be elected by general vote of the electors of the said town, and each of whom shall hold office for the term of two years and until his successor is elected and takes office.

Vacancies in council.

3.—(1) Subject to the provisions of subsection 2, where a vacancy occurs in the office of any member of council, the vacancy shall be filled in the same manner, *mutatis mutandis*, as is by section 165 of *The Municipal Act* provided for filling vacancies in the office of alderman in a city where aldermen are elected by general vote.

(2) Where a vacancy occurs in the office of mayor prior to the first day of May in the second year of the term for which he was elected a new election shall forthwith be held.

4.—(1) The council of the said corporation is authorized by by-law, to appoint a general administrative officer to be known as the town manager who shall have such general control and management of the administration of the government and affairs of the said corporation and perform such duties as the council shall by by-law define, limit and determine, and he shall be responsible for the efficient administration of all its departments to the extent that he shall be given authority and control over the same; and he shall hold office during the pleasure of the council and receive such salary as the council by by-law shall determine.

Town
manager,
appoint-
ment,
powers and
duties.

(2) Nothing in this section shall apply to the Hydro-Electric Commission of the said town.

Hydro
Commission
not
included.

5. Except as by this Act varied, altered or changed, *The Municipal Act* and all other Acts now applicable to the said corporation, its council or officers, shall be in full force and effect.

Rev. Stat.,
c. 233 and
other Acts
to apply
unless
inconsistent.

6. This Act shall come into force on the day upon which it receives the Royal Assent.

Commence-
ment of Act.

BILL

An Act respecting the Town of
Leamington.

1st Reading

February 25th, 1931

2nd Reading

March 11th, 1931

3rd Reading

March 16th, 1931

MR. SMITH (Essex)

No. 30

2ND SESSION, 18TH LEGISLATURE, ONTARIO

21 GEORGE V, 1931

BILL

An Act respecting The Town of Thorold.

MR. VAUGHAN

(PRIVATE BILL)

TORONTO

PRINTED BY HERBERT H. BALL

PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

No. 30

1931

BILL

An Act respecting The Town of Thorold.

Preamble.

WHEREAS the corporation of the town of Thorold has by its petition represented that having on the 5th day of January, 1931, obtained the approval thereto of the electors of the said town qualified to vote on money by-laws, it desires authority to exempt from taxation, except taxation for school purposes and for local improvements for a period of five years from the first day of January, 1931, all new dwellinghouses erected in the said town during the said period; and whereas the said corporation has by its said petition also represented it is desirable that all sales of land for taxes within the said town made prior to the 31st day of December, 1929, be confirmed; and whereas it is expedient to grant the prayer of the said petition;

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario enacts as follows:

Short title.

1. This Act may be cited as *The Town of Thorold Act, 1931*.

Exemption
from taxa-
tion of new
dwellings.

2. The corporation of the town of Thorold may by by-law, which for its validity shall not require the assent of the electors of the said town qualified to vote on money by-laws, exempt wholly or partially from municipal taxation, except taxation for school purposes and local improvements, for the whole or any part of the period of five years next ensuing from and after the first day of January, 1931, all new dwellinghouses erected in the said town during the said period.

Tax sales
and convey-
ances
validated.

3.—(1) All sales of land within the town of Thorold made prior to the 31st day of December, 1929, which purport to have been made by the corporation of the town of Thorold or its treasurer for arrears of taxes in respect to the lands so sold are hereby validated and confirmed and all conveyances of lands so sold executed by the mayor, treasurer and clerk of the said town purporting to convey the said lands so sold to the purchaser thereof or his heirs or assigns or to the said corporation, shall have the effect of vesting the lands so sold

in the purchaser or his heirs or assigns and his or their heirs and assigns or in the said corporation and its successors and assigns, as the case may be, in fee simple and clear of and free from all right, title and interest whatsoever of the owners thereof at the time of the said sale, or their assigns, and all charges and encumbrances thereon and dower therein, except taxes accruing after those for non-payment of which the lands were sold.

Pending litigation not affected. (2) Nothing in this section contained shall affect or prejudice the rights of any persons under pending litigation.

Commencement of Act. 4. The provisions of this Act, other than section 3, shall come into force on the day upon which it receives the Royal Assent. Section 3 shall come into force on the 1st day of July, 1931.

BILL

An Act respecting the Town of Thorold.

1st Reading

2nd Reading

3rd Reading

MR. VAUGHAN

(Private Bill)

No. 30

2ND SESSION, 18TH LEGISLATURE, ONTARIO
21 GEORGE V, 1931

BILL

An Act respecting The Town of Thorold.

MR. VAUGHAN

TORONTO
PRINTED BY HERBERT H. BALL
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

BILL

An Act respecting The Town of Thorold.

Preamble.

WHEREAS the corporation of the town of Thorold has by its petition represented that having on the 5th day of January, 1931, obtained the approval thereto of the electors of the said town qualified to vote on money by-laws, it desires authority to exempt from taxation, except taxation for school purposes and for local improvements for a period of five years from the first day of January, 1931, all new dwellinghouses erected in the said town during the said period; and whereas the said corporation has by its said petition also represented it is desirable that all sales of land for taxes within the said town made prior to the 31st day of December, 1929, be confirmed; and whereas it is expedient to grant the prayer of the said petition;

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario enacts as follows:

Short title.

1. This Act may be cited as *The Town of Thorold Act, 1931*.

Exemption from taxation of new dwellings.

2. The corporation of the town of Thorold may by by-law, which for its validity shall not require the assent of the electors of the said town qualified to vote on money by-laws, exempt wholly or partially from municipal taxation, except taxation for school purposes and local improvements, for the whole or any part of the period of five years next ensuing from and after the first day of January, 1931, all new dwellinghouses erected in the said town during the said period.

Tax sales and conveyances validated.

3.—(1) All sales of land within the town of Thorold made prior to the 31st day of December, 1929, which purport to have been made by the corporation of the town of Thorold or its treasurer for arrears of taxes in respect to the lands so sold are hereby validated and confirmed and all conveyances of lands so sold executed by the mayor, treasurer and clerk of the said town purporting to convey the said lands so sold to the purchaser thereof or his heirs or assigns or to the said corporation, shall have the effect of vesting the lands so sold

in the purchaser or his heirs or assigns and his or their heirs and assigns or in the said corporation and its successors and assigns, as the case may be, in fee simple and clear of and free from all right, title and interest whatsoever of the owners thereof at the time of the said sale, or their assigns, and all charges and encumbrances thereon and dower therein, except taxes accruing after those for non-payment of which the lands were sold.

(2) Nothing in this section contained shall affect or prejudice the rights of any person under any action, litigation or other proceedings now pending, but the same may be proceeded with and finally adjudicated upon in the same manner and as fully and effectually as if this Act had not been passed. ^{Pending litigation not affected.}

4. The provisions of this Act, other than section 3, shall come into force on the day upon which it receives the Royal Assent. Section 3 shall come into force on the 1st day of July, 1931. ^{Commencement of Act.}

BILL

An Act respecting the Town of Thorold.

1st Reading

February 17th, 1931

2nd Reading

February 27th, 1931

3rd Reading

March 13th, 1931

MR. VAUGHAN

No. 31

2ND SESSION, 18TH LEGISLATURE, ONTARIO
21 GEORGE V, 1931

BILL

An Act respecting the Town of Tilbury.

MR. MCBRIEN

(PRIVATE BILL)

TORONTO
PRINTED BY HERBERT H. BALL
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

No. 31

1931

BILL

An Act respecting the Town of Tilbury.

Preamble.

WHEREAS the corporation of the town of Tilbury has by its petition represented that it has incurred a floating indebtedness to the amount of \$40,000 which has accumulated over a period of years, and that to pay off the said floating indebtedness forthwith in addition to meeting its current annual expenditures would be unduly oppressive on the ratepayers of the said town; and whereas the said corporation has by its petition prayed that the said floating indebtedness of \$40,000 may be consolidated and that it may be authorized to borrow by the issue and sale of debentures sufficient money to discharge the said floating indebtedness; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Town of Tilbury Act, 1931*.

Floating debt consolidated at \$40,000.

2. The floating debt of the corporation of the town of Tilbury is consolidated at the sum of \$40,000 and the said corporation may borrow by a special issue of debentures a sum not exceeding \$40,000 for the purpose of paying the said floating debt.

Term of debentures and interest.

3. The said debentures shall be made payable in not more than thirty years from the date of issue thereof, and shall bear interest at a rate not exceeding six per centum per annum, and may be issued either with or without coupons attached thereto for interest, and shall be payable at such place or places as the corporation may deem expedient.

Equal annual instalments of principal and interest.

4. The said debentures shall be payable in equal annual instalments of principal and interest, in such manner and of such amounts that the amount payable for principal and interest in any year shall be equal as nearly as may be to what is payable for principal and interest during each of the other years of the period within which the said debt is to be discharged.

Special rate.

5. The said corporation shall levy in each year during the period within which the said debt is payable, in addition to all other rates, a special rate sufficient to produce and pay the annual instalments of principal and interest falling due upon the said debentures.

Application of proceeds of debentures.

6. The debentures and all moneys arising from the sale thereof shall be applied in payment of the said floating debt and for no other purpose.

Assent of electors not required.

7. It shall not be necessary to obtain the assent of the electors of the said town qualified to vote on money by-laws to the passing of any by-law which shall be passed under the authority of this Act, or to observe the formalities in relation thereto prescribed by *The Municipal Act*.

Rev. Stat., c. 233.

Irregularity in form not to invalidate.

8. No irregularity in the form of the said debentures or any of them, or of any by-law authorizing the issue thereof shall render the same invalid or illegal, or be allowed as a defence to any action brought against the said corporation for the recovery of the said debentures or interest or any part thereof; and the purchaser or holder thereof shall not be bound to enquire as to the necessity of passing such by-law or issuing debentures or as to the application of the proceeds thereof.

Treasurer to keep proper books of account.

9. It shall be the duty of the treasurer for the time being of the said town to keep, and it shall be the duty of each of the members from time to time of the council to procure such treasurer to keep and see that he does keep, a proper book of account setting forth a full and particular statement so that the same shall at all times show the number of debentures which from time to time shall be issued under the powers conferred by this Act, and the respective amounts payment of which is thereby secured, and the times at which the said debentures shall respectively become due and payable, and the several amounts which shall from time to time be realized from the sales or negotiations of the said debentures, and the application which shall from time to time be made of the said amounts and the said book of account and statement shall at all times and at all reasonable hours be open to the inspection of any ratepayer of the said town and of any of the holders, from time to time of the debentures which shall be issued under the powers hereby conferred or any of such debentures.

Commencement of Act.

10. This Act shall come into force on the day upon which it receives the Royal Assent.

BILL

An Act respecting the Town of Tilbury.

1st Reading

2nd Reading

3rd Reading

MR. MCBRIEN

(*Private Bill*)

No. 31

2ND SESSION, 18TH LEGISLATURE, ONTARIO
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BILL

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An Act respecting the Town of Tilbury.

Preamble.

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Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Town of Tilbury Act, 1931*.

Floating debt consolidated at \$40,000.

2. The floating debt of the corporation of the town of Tilbury is consolidated at the sum of \$40,000 and the said corporation may borrow by a special issue of debentures a sum not exceeding \$40,000 for the purpose of paying the said floating debt.

Term of debentures and interest.

3. The said debentures shall be made payable in not more than twenty years from the date of issue thereof, and shall bear interest at a rate not exceeding six per centum per annum, and may be issued either with or without coupons attached thereto for interest, and shall be payable at such place or places as the corporation may deem expedient.

Equal annual instalments of principal and interest.

4. The said debentures shall be payable in equal annual instalments of principal and interest, in such manner and of such amounts that the amount payable for principal and interest in any year shall be equal as nearly as may be to what is payable for principal and interest during each of the other years of the period within which the said debt is to be discharged.

5. The said corporation shall levy in each year during the period within which the said debt is payable, in addition to all other rates, a special rate sufficient to produce and pay the annual instalments of principal and interest falling due upon the said debentures. Special rate.

6. The debentures and all moneys arising from the sale thereof shall be applied in payment of the said floating debt and for no other purpose. Application of proceeds of debentures.

7. It shall not be necessary to obtain the assent of the electors of the said town qualified to vote on money by-laws to the passing of any by-law which shall be passed under the authority of this Act, or to observe the formalities in relation thereto prescribed by *The Municipal Act*. Assent of electors not required.

8. No irregularity in the form of the said debentures or any of them, or of any by-law authorizing the issue thereof shall render the same invalid or illegal, or be allowed as a defence to any action brought against the said corporation for the recovery of the said debentures or interest or any part thereof; and the purchaser or holder thereof shall not be bound to enquire as to the necessity of passing such by-law or issuing debentures or as to the application of the proceeds thereof. Rev. Stat., c. 233.

9. It shall be the duty of the treasurer for the time being of the said town to keep, and it shall be the duty of each of the members from time to time of the council to procure such treasurer to keep and see that he does keep, a proper book of account setting forth a full and particular statement so that the same shall at all times show the number of debentures which from time to time shall be issued under the powers conferred by this Act, and the respective amounts payment of which is thereby secured, and the times at which the said debentures shall respectively become due and payable, and the several amounts which shall from time to time be realized from the sales or negotiations of the said debentures, and the application which shall from time to time be made of the said amounts and the said book of account and statement shall at all times and at all reasonable hours be open to the inspection of any ratepayer of the said town and of any of the holders, from time to time of the debentures which shall be issued under the powers hereby conferred or any of such debentures. Irregularity in form not to invalidate.

10. This Act shall come into force on the day upon which it receives the Royal Assent. Treasurer to keep proper books of account.

BILL

An Act respecting the Town of Tilbury.

1st Reading

March 10th, 1931

2nd Reading

March 20th, 1931

3rd Reading

March 25th, 1931

MR. MCBRIEN

No. 32

2ND SESSION, 18TH LEGISLATURE, ONTARIO

21 GEORGE V, 1931

BILL

An Act respecting the City of Kingston.

MR. SKINNER

(PRIVATE BILL)

TORONTO

PRINTED BY HERBERT H. BALL

PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

No. 32

1931

BILL

An Act respecting the City of Kingston.

Preamble.

WHEREAS the corporation of the city of Kingston has by its petition prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The City of Kingston Act, 1931*.

By-law
No. 35
(1930) and
debentures
confirmed.

2. By-law number 35 (1930) of the corporation of the city of Kingston passed the 22nd day of December, 1930, to provide for the raising by way of loan on the credit of the debentures of the said corporation the sum of \$50,000 for the purchase of part of the broken front of lot number 16, in the first concession of the township of Kingston from the Cataraqui Golf and Country Club, Limited, and the debentures issued or to be issued thereunder are hereby confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof.

By-law
No. 39
(1930) and
debentures
confirmed.

3. By-law number 39 (1930) of the said corporation passed on the 22nd day of December, 1930, to provide for the raising by way of loan on the credit of the debentures of the said corporation of the sum of \$67,000 for the purpose of consolidating certain floating indebtedness of the said corporation, and the debentures issued or to be issued thereunder are hereby confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof.

Agreement
with
Canadian
Terminal
System,
Limited,
confirmed.

4. The agreement dated the 13th day of October, 1930, made between the said corporation and the Canadian Terminal System Limited set out in schedule "A" hereto is hereby confirmed and declared to be legal, valid and binding upon the parties thereto and the successors and assigns of them respectively.

Annexation
of territory
to city of
Kingston.

5.—(1) The lands described in schedule "B" now forming part of the township of Kingston are hereby detached therefrom and for all purposes are hereby annexed to and shall form part of the city of Kingston.

No adjust-
ment on
annexation.

(2) There shall be no adjustment of assets and liabilities between the said corporation and the corporation of the said township on account of the annexation of said lands.

Tax sales
and
conveyances
confirmed.

6.—(1) All sales of land within the city of Kingston made prior to the 31st day of December, 1929, which purport to have been made by the said corporation or its treasurer for arrears of taxes in respect to the lands so sold, are hereby validated and confirmed, and all conveyances of land so sold executed by the mayor, treasurer and clerk of the said corporation purporting to convey the said lands so sold to the purchaser thereof or his heirs or assigns or to the said corporation shall have the effect of vesting the lands so sold in the purchaser or his heirs or assigns and his or their heirs and assigns or in the said corporation and its successors and assigns, as the case may be, in fee simple and clear of and free from all right, title and interest whatsoever of the owners thereof at the time of said sale, or their assigns, and all charges and encumbrances thereon and dower therein, except taxes accruing after those for non-payment of which the lands were sold.

Pending
litigation.

(2) Nothing in this section contained shall affect or prejudice the rights of any person under pending litigation.

Commence-
ment of Act.

7. This Act shall come into force on the day upon which it receives the Royal Assent.

SCHEDULE "A"

MEMORANDUM OF AGREEMENT, made at the City of Toronto, this 13th day of October, A.D. 1930.

BETWEEN:

THE MUNICIPAL CORPORATION OF THE CITY OF KINGSTON,
hereinafter called the "Corporation,"

of the first part;

—and—

THE CANADIAN TERMINAL SYSTEM, LIMITED, a Company duly incorporated and having its Head Office at the City of Montreal, in the Province of Quebec, hereinafter called the "Company,"

of the second part.

Whereas the parties desire to enter into an agreement whereby the Company undertakes to erect and operate a grain elevator and the Corporation undertakes to convey, or cause to procure to be conveyed, certain lands and lands covered by water to the Company if and as acquired, as a site for said elevator, and to grant or procure a fixed assessment thereon, subject to the terms and conditions hereinafter set out.

And whereas the Company agrees to construct a grain elevator upon certain parts of said lands or lands covered by water of a capacity of at least 2,500,000 bushels and the Corporation agrees to apply to the Legislative Assembly of the Province of Ontario for a special Act to provide for said fixed assessment and to authorize and validate this agreement.

Now therefore this indenture witnesseth that in consideration of the premises and the conditions, stipulations and covenants herein on the part of the parties severally contained, the said parties covenant, promise and agree each with the other of them as follows:—

1. The Company shall construct a transfer and storage elevator of modern design and substantial construction with a storage capacity of not less than 2,500,000 bushels of grain upon that part of the water lots for which application has been made by the Corporation to the Crown and fronting upon Lots 15 and 16 in the first concession of the Township of Kingston, in the County of Frontenac, more particularly described in paragraph 5 hereof, on or before the first day of October, 1932.

2. The Company shall operate and maintain the said elevator for a period of at least ten (10) years immediately after completion, providing such operation and maintenance is not prevented by the intervention of an Act of God, vis major, fire, lightning, flood, tempest, explosion, or other cause beyond the reasonable anticipation or control of the Company.

3. The Company shall without any obligation to do any special act, or to incur any expense, allow access to the proposed elevator to all railways now or hereafter desirous of securing access thereto or egress therefrom for the purpose of carrying grain or other products to and from the same.

4. The Company shall render every assistance in its power to secure the annexation to the Corporation of the lands referred to in the within Agreement and such other lands as the Corporation may desire to have annexed to the City of Kingston.

5. Subject to such legislative authority and or approval, if any, as may be necessary, the Corporation shall and will transfer, or cause or procure to be transferred or granted to the Company, that part of the water lots for which application has been made by the Corporation to the Crown and fronting upon Lots 15 and 16 in the First Concession of the Township of Kingston, County of Frontenac, bordering upon Cataraqui Bay, which may be described as follows:—

All and singular those certain parcels or tracts of land and premises situate, lying and being in the Township of Kingston, in the County of Frontenac, being composed of part of the land covered with water lying in front of Lots Numbers Fifteen and Sixteen (15 and 16) and the broken fronts thereof in the First Concession of the said Township, and which may be more particularly described as follows:—

Commencing at a point in the high water mark of Cataraqui Bay, an arm of Lake Ontario, in the southerly side of the travelled Road known as the Front Road, which point is distant westerly from the south-east angle of Lot Number Fifteen (15) approximately two hundred and sixty feet (260'); Thence southerly nineteen degrees and thirty minutes east (S. 19° 30' E.) along the face of the site of the proposed elevator fourteen hundred and seventy-five feet (1475'), more or less, to the southerly face thereof; Thence north seventy degrees thirty minutes east (N. 70° 30' E.) along the said southerly face one hundred and fifty feet more or less to the easterly face of the said site; Thence north nineteen degrees thirty minutes west (N. 19° 30' W.) along the easterly face of the said site one thousand feet (1,000') more or less to the north-westerly angle of the proposed dredged basin shown on the plan attached hereto as Basin 3; Thence north seventy degrees thirty minutes east (N. 70° 30' E.) along the edge of the proposed basin one hundred and seventy-five feet (175') more or less, to the high water mark of Cataraqui Bay an arm of Lake Ontario; Thence north-westerly along the said high water mark approximately five hundred and fifty feet (550') more or less to the point of commencement; All of which is shown coloured Red on the plan attached hereto, prepared by D. S. Ellis, O.L.S.

A satisfactory Deed, grant or conveyance of said portion of said water lots shall be delivered to the Company when and so soon as the Company has duly executed this agreement and has furnished the bonds provided for the Paragraph 7 hereof. The Corporation further agrees to likewise transfer and convey, or cause or procure to be transferred and conveyed, to the Company the lands shown in Black on the said plan attached hereto and described as follows:—

Commencing at a point in the high-water mark of Cataraqui Bay, an arm of Lake Ontario, in the southerly side of the travelled road known as the Front Road, distant six hundred feet (600') from the production of the easterly dock face of the elevator of the Kingston Elevator Company, such measurement to be made on a line north seventy degrees thirty minutes east (N. 70° 30' E.) which point is distant westerly from the south-westerly angle of Farm Lot Number Fifteen (15) of the First Concession of the Township of Kingston, two hundred and sixty feet (260') more or less;

Thence easterly along the southerly limit of the said travelled road eight hundred feet (800') to a point;

Thence south nineteen degrees thirty minutes east (S. 19° 30' E.) two hundred and thirty-five feet (235') to the line produced of the northerly edge of the proposed basin Three (3), as shown on the plan of the site of the proposed elevator of The Canadian Terminal System Limited, prepared by D. S. Ellis, O.L.S., dated August 30th, 1930;

Thence south seventy degrees thirty minutes west (S. 70° 30' W.) four hundred and forty feet (440') more or less to the high-water mark of Cataraqui Bay.

Thence north-westerly along the said high-water mark five hundred and fifty feet (550') more or less, to the point of commencement.

Provided a By-law to be submitted by the Corporation to the rate-payers of the Municipality under the provision of the *Municipal Act* for the purchase of certain lands is duly approved by the said ratepayers.

The Corporation further agrees to transfer and convey to the Crown in the right of the Dominion of Canada for dredging purposed for the proposed Elevator, such parts of said water lots as it may acquire, as are shown coloured green on the plan hereunto attached and marked.

Provided, however, that the Catarauqui Golf and Country Club, Limited (hereinafter referred to as the "Golf Club") shall have the right to use and occupation of those parts of said Lot Sixteen (16) now owned by said Golf Club until the first day of December, 1931, free of charge.

6. The Corporation shall provide or procure to be provided a railway siding from the present spur or siding of the Canadian National Railway to said elevator, and the Company shall enjoy the use of the said siding at all times free of charge.

7. The Company shall deposit with the Corporation and the Golf Club Sixty Thousand dollars (\$60,000) par value Twenty Year First Mortgage (Leasehold) Sinking Fund Gold Bonds, Series A of National Utilities Corporation, Limited, the property of the Company, free of all liens and charges, duly endorsed by the Company to the Corporation and the Golf Club, as security for the due construction and completion of said Elevator, together with the necessary wharfage and dockage facilities for the proper operation and use of the same, in the event of the Corporation conveying or causing or procuring to be conveyed to the Company the lands coloured black on the plan attached hereto as provided for in Paragraph 5 hereof; and in the event of the failure of said Corporation to convey or cause or procure to be conveyed to the Company said lands as aforesaid, then, as security for the purchase by the said Company from the Golf Club of the lands mentioned in a certain Agreement between the said City and the said Golf Club bearing even date herewith in accordance in all respects with the provisions of said Agreement; such bonds to be deposited subject to all the terms, conditions and provisions particularly set forth in a Deposit Agreement, bearing even date herewith, between the Company, the Corporation and the said Golf Club.

8. The Corporation or its nominee shall have the right of free use of any railway siding now or hereafter constructed in common with the Company, upon entering into a satisfactory agreement in respect of such joint use.

9. The Corporation shall make application to the Legislative Assembly of the Province of Ontario at the next Session thereof for a special Act granting or making provision for granting a fixed assessment of the said elevator and the lands, trackage and docks connected therewith, including business assessment, for the period of ten years next following the First day of January after the completion of said elevator, at the sum of Fifty Thousand dollars (\$50,000), (but this shall not apply to or affect taxation for school purposes or local improvements) and dispensing with all provisions requiring the submission of a By-law to the electors of said Corporation or any other Municipality for the purpose of so fixing said assessment. In the event of said assessment not being so fixed by Special Act, the Corporation will through its Council submit to the electors of the municipality and endeavour to secure the passage of a proper By-law under the provisions of the *Municipal Act* for the purpose of so fixing the said Assessment.

10. The Corporation shall also make application to the Legislative Assembly of the Province of Ontario at said next Session thereof for the enactment of provisions in said Special Act or in another Special Act, authorizing, validating and confirming this agreement and all the terms and provisions thereof and all things done and to be done pursuant thereto or in connection therewith.

11. The Corporation shall by its Council use every endeavour to give full effect to all the terms and provisions of this agreement and to secure the Legislative authority, sanction and approval herein provided for.

12. The agreement shall be binding upon and enure to the benefit of the parties hereto and their respective successors and assigns.

In witness whereof the parties hereto have hereunto affixed their Corporate Seals, that of the Corporation being attested by the hand of

the Mayor and City Clerk, and that of the Canadian Terminal System Limited by its President and Secretary-Treasurer duly authorized in that behalf.

(Signed)

THE MUNICIPAL CORPORATION OF THE CITY OF KINGSTON,

W. H. CRAIG,
Mayor.

W. W. SANDS,
City Clerk.

Witness:

F. BOYCE,
as to signature of Mayor and City Clerk.

THE CANADIAN TERMINAL SYSTEM, LIMITED,

H. I. PRICE,
Vice-President.

E. J. S. WALLWORK,
Secretary-Treasurer.

SCHEDULE "B"

All and singular that parcel of land and land covered with water now situate in the Township of Kingston, in the County of Frontenac described as follows:—

Commencing at a point where the line of the easterly face of the dock of the Kingston Elevator Company produced intersects the southerly limit of Concession 1 of said township, the said easterly face of dock being the easterly limit of the land annexed to the City of Kingston by *The City of Kingston Act, 1930*; thence south $19^{\circ} 30'$ east along the line of the face of the said dock to a point where the said line produced southerly would intersect the extension of the westerly production of the harbor line of the said city; thence easterly along the said westerly production of the said harbor line to a point where the said harbor line intersects the production southerly of the line between Lots Numbers 16 and 17 in the First Concession of the said township; thence northerly along the said line between said Lots 16 and 17 to the southerly limit of said first concession; thence westerly along the southerly limit of said first concession to the place of beginning.

BILL

An Act respecting the City of Kingston.

1st Reading

2nd Reading

3rd Reading

MR. SKINNER

(*Private Bill*)

No. 32

2ND SESSION, 18TH LEGISLATURE, ONTARIO
21 GEORGE V, 1931

BILL

An Act respecting the City of Kingston.

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TORONTO
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No. 32

1931

BILL

An Act respecting the City of Kingston.

Preamble.

WHEREAS the corporation of the city of Kingston has by its petition prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The City of Kingston Act, 1931*.

By-law
No. 35
(1930) and
debentures
confirmed.

2. By-law number 35 (1930) of the corporation of the city of Kingston passed the 22nd day of December, 1930, to provide for the raising by way of loan on the credit of the debentures of the said corporation the sum of \$50,000 for the purchase of part of the broken front of lot number 16, in the first concession of the township of Kingston from the Cataraqui Golf and Country Club, Limited, and the debentures issued or to be issued thereunder are hereby confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof.

By-law
No. 39
(1930) and
debentures
confirmed.

3. By-law number 39 (1930) of the said corporation passed on the 22nd day of December, 1930, to provide for the raising by way of loan on the credit of the debentures of the said corporation of the sum of \$67,000 for the purpose of consolidating certain floating indebtedness of the said corporation, and the debentures issued or to be issued thereunder are hereby confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof.

Agreement
with
Canadian
Terminal
System,
Limited,
confirmed.

4. The agreement dated the 13th day of October, 1930, made between the said corporation and the Canadian Terminal System Limited set out in schedule "A" hereto is hereby confirmed and declared to be legal, valid and binding upon the parties thereto and the successors and assigns of them respectively.

5.—(1) The lands described in schedule "B" now forming part of the township of Kingston are hereby detached therefrom and for all purposes are hereby annexed to and shall form part of the city of Kingston. Annexation of territory to city of Kingston.

(2) The provisions of *The Municipal Act* with respect to adjustment of assets and liabilities upon annexation of part of an adjacent township to a city shall apply, except that if such adjustment cannot be agreed upon the same shall be determined by the Ontario Railway and Municipal Board. Adjustment of assets and liabilities on annexation.

(3) The said Board shall have power to and may direct that the corporation of the said city shall pay to the corporation of the said township a yearly sum for the period of ten years from and including the year 1931 by way of allowance for loss of revenue from taxation by reason of the said annexation, such sum however to be based and calculated upon what reasonably might have been derived by the corporation of the said township if such annexation had not occurred. Yearly allowance to township for loss of taxes.

(4) The corporation of the said city shall pay to the corporation of the said township the amount, if any, so fixed by the said Board not later than the 1st day of September in each year.

6.—(1) All sales of land within the city of Kingston made prior to the 31st day of December, 1929, which purport to have been made by the said corporation or its treasurer for arrears of taxes in respect to the lands so sold, are hereby validated and confirmed, and all conveyances of land so sold executed by the mayor, treasurer and clerk of the said corporation purporting to convey the said lands so sold to the purchaser thereof or his heirs or assigns or to the said corporation shall have the effect of vesting the lands so sold in the purchaser or his heirs or assigns and his or their heirs and assigns or in the said corporation and its successors and assigns, as the case may be, in fee simple and clear of and free from all right, title and interest whatsoever of the owners thereof at the time of said sale, or their assigns, and all charges and encumbrances thereon and dower therein, except taxes accruing after those for non-payment of which the lands were sold. Tax sales and conveyances confirmed.

(2) Nothing in this section contained shall affect or prejudice the rights of any person under any action, litigation or other proceedings now pending, but the same may be proceeded with and finally adjudicated upon in the same manner and as fully and effectually as if this Act had not been passed. Pending litigation not affected.

7. This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

SCHEDULE "A"

MEMORANDUM OF AGREEMENT, made at the City of Toronto, this 13th day of October, A.D. 1930.

BETWEEN:

THE MUNICIPAL CORPORATION OF THE CITY OF KINGSTON,
hereinafter called the "Corporation,"

of the first part;

—and—

THE CANADIAN TERMINAL SYSTEM, LIMITED, a Company duly incorporated and having its Head Office at the City of Montreal, in the Province of Quebec, hereinafter called the "Company,"

of the second part.

Whereas the parties desire to enter into an agreement whereby the Company undertakes to erect and operate a grain elevator and the Corporation undertakes to convey, or cause to procure to be conveyed, certain lands and lands covered by water to the Company if and as acquired, as a site for said elevator, and to grant or procure a fixed assessment thereon, subject to the terms and conditions hereinafter set out.

And whereas the Company agrees to construct a grain elevator upon certain parts of said lands or lands covered by water of a capacity of at least 2,500,000 bushels and the Corporation agrees to apply to the Legislative Assembly of the Province of Ontario for a special Act to provide for said fixed assessment and to authorize and validate this agreement.

Now therefore this indenture witnesseth that in consideration of the premises and the conditions, stipulations and covenants herein on the part of the parties severally contained, the said parties covenant, promise and agree each with the other of them as follows:—

1. The Company shall construct a transfer and storage elevator of modern design and substantial construction with a storage capacity of not less than 2,500,000 bushels of grain upon that part of the water lots for which application has been made by the Corporation to the Crown and fronting upon Lots 15 and 16 in the first concession of the Township of Kingston, in the County of Frontenac, more particularly described in paragraph 5 hereof, on or before the first day of October, 1932.

2. The Company shall operate and maintain the said elevator for a period of at least ten (10) years immediately after completion, providing such operation and maintenance is not prevented by the intervention of an Act of God, vis major, fire, lightning, flood, tempest, explosion, or other cause beyond the reasonable anticipation or control of the Company.

3. The Company shall without any obligation to do any special act, or to incur any expense, allow access to the proposed elevator to all railways now or hereafter desirous of securing access thereto or egress therefrom for the purpose of carrying grain or other products to and from the same.

4. The Company shall render every assistance in its power to secure the annexation to the Corporation of the lands referred to in the within Agreement and such other lands as the Corporation may desire to have annexed to the City of Kingston.

5. Subject to such legislative authority and or approval, if any, as may be necessary, the Corporation shall and will transfer, or cause or procure to be transferred or granted to the Company, that part of the water lots for which application has been made by the Corporation to the Crown and fronting upon Lots 15 and 16 in the First Concession of the Township of Kingston, County of Frontenac, bordering upon Cataraqui Bay, which may be described as follows:—

All and singular those certain parcels or tracts of land and premises situate, lying and being in the Township of Kingston, in the County of Frontenac, being composed of part of the land covered with water lying in front of Lots Numbers Fifteen and Sixteen (15 and 16) and the broken fronts thereof in the First Concession of the said Township, and which may be more particularly described as follows:—

Commencing at a point in the high water mark of Cataraqui Bay, an arm of Lake Ontario, in the southerly side of the travelled Road known as the Front Road, which point is distant westerly from the south-east angle of Lot Number Fifteen (15) approximately two hundred and sixty feet (260'); Thence southerly nineteen degrees and thirty minutes east (S. 19° 30' E.) along the face of the site of the proposed elevator fourteen hundred and seventy-five feet (1475'), more or less, to the southerly face thereof; Thence north seventy degrees thirty minutes east (N. 70° 30' E.) along the said southerly face one hundred and fifty feet more or less to the easterly face of the said site; Thence north nineteen degrees thirty minutes west (N. 19° 30' W.) along the easterly face of the said site one thousand feet (1,000') more or less to the north-westerly angle of the proposed dredged basin shown on the plan attached hereto as Basin 3; Thence north seventy degrees thirty minutes east (N. 70° 30' E.) along the edge of the proposed basin one hundred and seventy-five feet (175') more or less, to the high water mark of Cataraqui Bay an arm of Lake Ontario; Thence north-westerly along the said high water mark approximately five hundred and fifty feet (550') more or less to the point of commencement; All of which is shown coloured Red on the plan attached hereto, prepared by D. S. Ellis, O.L.S.

A satisfactory Deed, grant or conveyance of said portion of said water lots shall be delivered to the Company when and so soon as the Company has duly executed this agreement and has furnished the bonds provided for the Paragraph 7 hereof. The Corporation further agrees to likewise transfer and convey, or cause or procure to be transferred and conveyed, to the Company the lands shown in Black on the said plan attached hereto and described as follows:—

Commencing at a point in the high-water mark of Cataraqui Bay, an arm of Lake Ontario, in the southerly side of the travelled road known as the Front Road, distant six hundred feet (600') from the production of the easterly dock face of the elevator of the Kingston Elevator Company, such measurement to be made on a line north seventy degrees thirty minutes east (N. 70° 30' E.) which point is distant westerly from the south-westerly angle of Farm Lot Number Fifteen (15) of the First Concession of the Township of Kingston, two hundred and sixty feet (260') more or less;

Thence easterly along the southerly limit of the said travelled road eight hundred feet (800') to a point;

Thence south nineteen degrees thirty minutes east (S. 19° 30' E.) two hundred and thirty-five feet (235') to the line produced of the northerly edge of the proposed basin Three (3), as shown on the plan of the site of the proposed elevator of The Canadian Terminal System Limited, prepared by D. S. Ellis, O.L.S., dated August 30th, 1930;

Thence south seventy degrees thirty minutes west (S. 70° 30' W.) four hundred and forty feet (440') more or less to the high-water mark of Cataraqui Bay.

Thence north-westerly along the said high-water mark five hundred and fifty feet (550') more or less, to the point of commencement.

Provided a By-law to be submitted by the Corporation to the rate-payers of the Municipality under the provision of the *Municipal Act* for the purchase of certain lands is duly approved by the said ratepayers.

The Corporation further agrees to transfer and convey to the Crown in the right of the Dominion of Canada for dredging purposed for the proposed Elevator, such parts of said water lots as it may acquire, as are shown coloured green on the plan hereunto attached and marked.

Provided, however, that the Cataraqui Golf and Country Club, Limited (hereinafter referred to as the "Golf Club") shall have the right to use and occupation of those parts of said Lot Sixteen (16) now owned by said Golf Club until the first day of December, 1931, free of charge.

6. The Corporation shall provide or procure to be provided a railway siding from the present spur or siding of the Canadian National Railway to said elevator, and the Company shall enjoy the use of the said siding at all times free of charge.

7. The Company shall deposit with the Corporation and the Golf Club Sixty Thousand dollars (\$60,000) par value Twenty Year First Mortgage (Leasehold) Sinking Fund Gold Bonds, Series A of National Utilities Corporation, Limited, the property of the Company, free of all liens and charges, duly endorsed by the Company to the Corporation and the Golf Club, as security for the due construction and completion of said Elevator, together with the necessary wharfage and dockage facilities for the proper operation and use of the same, in the event of the Corporation conveying or causing or procuring to be conveyed to the Company the lands coloured black on the plan attached hereto as provided for in Paragraph 5 hereof; and in the event of the failure of said Corporation to convey or cause or procure to be conveyed to the Company said lands as aforesaid, then, as security for the purchase by the said Company from the Golf Club of the lands mentioned in a certain Agreement between the said City and the said Golf Club bearing even date herewith in accordance in all respects with the provisions of said Agreement; such bonds to be deposited subject to all the terms, conditions and provisions particularly set forth in a Deposit Agreement, bearing even date herewith, between the Company, the Corporation and the said Golf Club.

8. The Corporation or its nominee shall have the right of free use of any railway siding now or hereafter constructed in common with the Company, upon entering into a satisfactory agreement in respect of such joint use.

9. The Corporation shall make application to the Legislative Assembly of the Province of Ontario at the next Session thereof for a special Act granting or making provision for granting a fixed assessment of the said elevator and the lands, trackage and docks connected therewith, including business assessment, for the period of ten years next following the First day of January after the completion of said elevator, at the sum of Fifty Thousand dollars (\$50,000), (but this shall not apply to or affect taxation for school purposes or local improvements) and dispensing with all provisions requiring the submission of a By-law to the electors of said Corporation or any other Municipality for the purpose of so fixing said assessment. In the event of said assessment not being so fixed by Special Act, the Corporation will through its Council submit to the electors of the municipality and endeavour to secure the passage of a proper By-law under the provisions of the *Municipal Act* for the purpose of so fixing the said Assessment.

10. The Corporation shall also make application to the Legislative Assembly of the Province of Ontario at said next Session thereof for the enactment of provisions in said Special Act or in another Special Act, authorizing, validating and confirming this agreement and all the terms and provisions thereof and all things done and to be done pursuant thereto or in connection therewith.

11. The Corporation shall by its Council use every endeavour to give full effect to all the terms and provisions of this agreement and to secure the Legislative authority, sanction and approval herein provided for.

12. The agreement shall be binding upon and enure to the benefit of the parties hereto and their respective successors and assigns.

In witness whereof the parties hereto have hereunto affixed their Corporate Seals, that of the Corporation being attested by the hand of

the Mayor and City Clerk, and that of the Canadian Terminal System Limited by its President and Secretary-Treasurer duly authorized in that behalf.

(Signed)

THE MUNICIPAL CORPORATION OF THE CITY OF KINGSTON,

W. H. CRAIG,
Mayor.

W. W. SANDS,
City Clerk.

Witness:

F. BOYCE,
as to signature of Mayor and City Clerk.

THE CANADIAN TERMINAL SYSTEM, LIMITED,

H. I. PRICE,
Vice-President.

E. J. S. WALLWORK,
Secretary-Treasurer.

SCHEDULE "B"

All and singular that parcel of land and land covered with water now situate in the Township of Kingston, in the County of Frontenac described as follows:—

Commencing at a point where the line of the easterly face of the dock of the Kingston Elevator Company produced intersects the southerly limit of Concession 1 of said township, the said easterly face of dock being the easterly limit of the land annexed to the City of Kingston by *The City of Kingston Act, 1930*, thence south $19^{\circ} 30'$ east along the line of the face of the said dock to a point where the said line produced southerly would intersect the extension of the westerly production of the harbor line of the said city; thence easterly along the said westerly production of the said harbor line to a point where the said harbor line intersects the production southerly of the line between Lots Numbers 16 and 17 in the First Concession of the said township; thence northerly along the said line between said Lots 16 and 17 to the southerly limit of said first concession; thence westerly along the southerly limit of said first concession to the place of beginning.

BILL

An Act respecting the City of Kingston.

1st Reading

March 10th, 1931

2nd Reading

April 1st, 1931

3rd Reading

April 1st, 1931

MR. SKINNER

2ND SESSION, 18TH LEGISLATURE, ONTARIO
21 GEORGE V, 1931

BILL

An Act respecting the City of Toronto.

MR. NESBITT

(PRIVATE BILL)

No. 33

1931

BILL

An Act respecting the City of Toronto.

Preamble.

WHEREAS the corporation of the city of Toronto has by its petition prayed for special legislation in respect to the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The City of Toronto Act, 1931*.

Confirma-
tion of
specified
expendi-
tures.

2. The following expenditures by the council of the corporation of the city of Toronto out of current revenue for 1930 are hereby authorized, validated and confirmed, namely:

- (1) A grant of \$500 to the St. Elizabeth Visiting Nurses' Association;
- (2) A grant of \$5,000 to the Canadian Social Hygiene Council;
- (3) A grant of \$7,500 to the Parkdale Canoe Club;
- (4) A grant of \$100,000 to the Federation for Community Service Fund;
- (5) A grant of \$20,000 to the Federation of Catholic Charities;
- (6) A grant of \$15,000 to the Federation of Jewish Philanthropies of Toronto;
- (7) A grant of \$500 to the Balmy Beach Club;
- (8) An expenditure of \$9,000 for the purposes set out in section 437 of *The Municipal Act* in excess of the amount authorized by said section.

Rev. Stat.,
c. 233.

By-law
No. 12790
relating to
University
Avenue
Extension
confirmed.

Rev. Stat.,
c. 235.

Compensa-
tion for
lands.

Rev. Stat.,
c. 233 and
c. 242.

1928, c. 17,
ss. 3 to 6
to apply.

Agreement
with The
T. Eaton
Company,
Limited,
confirmed.

By-law
No. 12682
relating
to Church
Street
Extension
and
Davenport
Road
Widening
confirmed.

Rev. Stat.,
c. 235.

Tax sales
and
conveyances
confirmed.

3.—(1) By-law number 12790 passed by the council of the said corporation on the 22nd day of September, 1930, and entitled "A By-law to undertake the extension of University Avenue from its present southerly terminus at Queen Street southerly and southeasterly to Front Street" is hereby validated and confirmed and it is hereby declared that the said by-law was legally and validly passed under and pursuant to the provisions of *The Local Improvement Act* and that the provisions of the said Act apply to the work authorized by the said by-law.

(2) The compensation payable by the said corporation for any land heretofore or hereafter acquired or expropriated for or in connection with the extension of University Avenue authorized by the said by-law number 12790 shall be determined by the Official Arbitrator under the provisions of *The Municipal Act* and *The Municipal Arbitrations Act*, and for the purpose of determining the amount of such compensation the value of the said land shall be fixed as of the 3rd day of April, 1928.

(3) The said council may exercise in respect either to University Avenue as it now exists or University Avenue as so extended to Front Street, the powers provided for in sections 3 to 6 inclusive of *The University Avenue Extension Act, 1928*.

4. The agreement dated the 18th day of December, 1930, made between the said corporation and The T. Eaton Company, Limited, set out in schedule "A," is hereby confirmed and declared to be legal, valid and binding upon the parties thereto and the said parties are hereby authorized to carry out and enjoy their respective obligations and privileges thereunder.

5. By-law number 12682 passed by the council of the said corporation on the 2nd day of June, 1930, and entitled "A By-law to authorize the extension of Church Street, from Bloor Street to Yonge Street and the widening of Davenport Road, from Yonge Street to McAlpine Street, as a local improvement work under section 8 of *The Local Improvement Act*," is hereby validated and confirmed and it is hereby declared that the said by-law was legally and validly passed under and pursuant to the provisions of the said Act, and that the provisions thereof apply to the work authorized by the said by-law.

6.—(1) All sales of land within the city of Toronto made prior to the 31st day of December, 1929, and purporting to have been made by the treasurer of the said city for arrears

of taxes in respect to the land so sold are hereby validated and confirmed, and all conveyances of land so sold executed by the mayor, treasurer and clerk of the said corporation purporting to convey the said land so sold to the purchaser thereof or his heirs or assigns, or to the said corporation, shall have the effect of vesting the lands so sold in the purchaser or his heirs or assigns and his or their heirs and assigns or in the said corporation and its successors and assigns, as the case may be, in fee simple and clear of and free from all right, title and interest whatsoever of the owners thereof at the time of said sale, or their assigns, and all charges and encumbrances thereon and dower therein, except taxes accruing after those for non-payment of which the lands were sold.

Pending litigation.

(2) Nothing in this section contained shall affect or prejudice the rights of any person under pending litigation.

Highway improvements may be deferred 15 years.

Rev. Stat., c. 233, s. 343.

7. The council of the said corporation, in any by-law passed under the provisions of section 343 of *The Municipal Act* for deferring the time for entry by the corporation on lands taken for establishing or laying out or for extending, widening or diverting a highway or part of a highway, may provide that the time for entry shall be deferred until a day not more than fifteen years after the date of the passing of the by-law, and otherwise the provisions of the said section 343 of *The Municipal Act* shall apply to a by-law passed under the authority of this section.

Reconstruction of Old Technical School.

8. The council of the said corporation may, without submitting the same to the electors qualified to vote on money by-laws, pass a by-law or by-laws for the issue of debentures to an amount not exceeding \$185,000 to provide for the cost of reconstructing the Old Technical School Building on the south side of College Street in the city of Toronto.

Corporation's portion of cost of pavements—what to include.

Rev. Stat., c. 235.

9. Whenever the council of the said corporation shall hereafter undertake, as a local improvement work under the provisions of *The Local Improvement Act*, the construction of a pavement, or the resurfacing or widening of a pavement, of a greater width than thirty-six feet (exclusive of the width of any street railway track allowance) there shall be included in the corporation's portion of the cost of the work so much of the cost as is incurred by reason of the work having such greater width.

Building line on highways.

10. The council of the said corporation may from time to time by a vote of two-thirds of all the members of the council pass by-laws providing, in the case of any highway or portion of a highway named in the by-law, that no building on land fronting or abutting on such highway or portion thereof shall

be erected or placed closer to the line of the highway than a distance to be fixed by the by-law, and it shall not be necessary that the distance shall be the same on all parts of the same highway, and the provisions of every such by-law shall be enforceable in the same way and to the same extent as a by-law passed under the authority of *The Municipal Act*.

Power to carry out agreement for stables at Exhibition Park.

11. The said corporation may do all acts necessary to perform the agreement made between the said corporation, His Majesty the King in right of the Dominion of Canada and His Majesty the King in right of the Province of Ontario, dated the 14th day of November, 1930, with respect to the erection of new horse stables in Exhibition Park, and the council of the said corporation may, without submitting same to the electors qualified to vote on money by-laws, pass a by-law or by-laws for the issue of debentures to raise the portions of the cost of the said horse stables required to be so raised by the provisions of said agreement.

Validity of debentures.

12.—(1) It shall not be necessary for the said corporation to obtain the assent of the electors of the said city qualified to vote on money by-laws to the passing of any by-law authorizing the issue of debentures to pay for the cost of any work undertaken under the authority of sections 3, 4, 5 and 8 of this Act or of any by-law passed thereunder or confirmed thereby or to observe in respect thereto the formalities prescribed by *The Municipal Act* in respect to the passing of money by-laws.

Rev. Stat., c. 233.

(2) Debentures issued under the provisions of any of said by-laws shall bear interest at such rate as the council of the said corporation shall in such by-law determine and the principal and interest thereof may be made payable in any manner authorized by *The Municipal Act*.

(3) All debentures so issued or to be issued shall be legal, valid and binding upon the said corporation and the rate-payers thereof notwithstanding any irregularity in the form of any of such debentures or in any by-law authorizing the issue thereof.

Commencement of Act.

13. The provisions of this Act, other than section 6, shall come into force on the day upon which it receives the Royal Assent. Section 6 shall come into force on the 1st day of July, 1931.

SCHEDULE "A"

THIS AGREEMENT made in triplicate the 18th day of December, 1930.

BETWEEN:

THE CORPORATION OF THE CITY OF TORONTO,
hereinafter called the "City,"

of the first part;

—and—

THE T. EATON COMPANY LIMITED,
hereinafter called the "Company,"

of the second part.

Whereas it is necessary and desirable in the public interest that the jog at the intersection of College, Yonge and Carlton Streets in the City of Toronto be eliminated;

And whereas in order to proceed with such elimination it is proposed that a new section of Carlton Street shall be projected south-easterly from Yonge Street (about opposite College Street) at a width of eighty-six feet more or less to a junction with Carlton Street as it now exists and that from such junction easterly to a location one hundred and twenty-four feet four inches more or less east of the east limit of Church Street, Carlton Street shall be widened to eighty feet more or less by adding thereto a strip of land approximately fourteen feet in width adjoining the present northerly limit of Carlton Street, and that a portion of Carlton Street as it now exists which will not be required for highway purposes when the proposed work and improvements are consummated shall be closed and conveyed by the City to the Company or its nominees, the said portion of Carlton Street being that portion adjoining the easterly limit of Yonge Street having a measurement of ninety-two feet one and one-quarter inches on its northerly limit and a measurement of two hundred and sixty-seven feet six and one-half inches on its southerly limit and being shown coloured yellow on the blue print hereunto annexed, which blue print has been prepared by Tracy D. leMay, Esquire, O.L.S., City Surveyor, and is dated July 23rd, 1930;

And whereas all lands which will be required for the purpose of carrying out the projection of such new section of Carlton Street and the said widening of Carlton Street are owned or controlled by the Company and are shown coloured red on the said blue print hereto annexed;

And whereas the Company and the City have agreed to enter into and execute this agreement setting forth the obligations to be observed and performed by the Company and the City respectively to effect the consummation of the said work and improvements, and the execution of this agreement by the City is authorized by Report No. 14 of the Committee on Works adopted by the Council of the City on the twenty-fifth day of September, 1930;

Now therefore this agreement witnesseth that in consideration of the premises and of the mutual covenants and agreements hereinafter contained the Company and the City have agreed as follows:—

(1) The Company shall forthwith upon reasonable notice from the City so to do cause to be expeditiously removed at its own cost and expense all buildings and structures or portions thereof situated in, upon or under the lands required by the City to effect the said improvements, being the lands shown coloured red on the said blueprint hereto annexed, provided that the buildings known in the year 1930 as Nos. 34, 36 and 38 Carlton Street and so shown on the plan hereto annexed shall be allowed to remain in their present position for their respective lifetimes or until their reconstruction upon the Company executing in respect thereto the usual agreement (without cancellation provision) required by the City in a case of encroachment of buildings over the street line.

(2) Upon the removal of such buildings and structures or portions thereof as hereinbefore provided the Company shall convey or cause to be conveyed to the City free of all dower and encumbrances physical or otherwise (except as hereinbefore provided in respect to Nos. 34, 36 and 38 Carlton Street) the said lands shown coloured red on the blue print hereunto annexed (exclusive of public lanes, if any, of which the City has possession) at a price to be agreed upon by the Company and the City.

(3) Forthwith upon the conveyance to the City of the said lands as hereinbefore provided the City shall without expense to the Company or any other owner of abutting land (except by way of general taxation) pave or cause to be paved the portion of Carlton Street as it will exist after the carrying out of the said improvement from the easterly limit of Yonge Street to the line marked "B" on the said blue print hereto annexed, excepting thereout the Street Railway Track allowance, and shall also without expense to the Company or any other owner of abutting land (except by way of general taxation) construct or cause to be constructed in, upon or under the said portion of Carlton Street between the easterly limit of Yonge Street and the said line marked "B" sidewalks of a width of sixteen feet, more or less (including curb) and a sewer and watermain, the intent of the parties hereto being that the City shall without expense to the Company or other owners of lands abutting on the said portion of Carlton Street (except by way of general taxation), provide on the said portion of Carlton Street facilities for the use of same as a public highway equal to those now existing on the portion of Carlton Street to be closed as hereinafter provided.

(4) As soon as possible after the said portion of Carlton Street as hereinbefore in paragraph 3 described shall have been opened to traffic the City shall close as a public highway and convey to the Company or its nominees free of all encumbrances, physical or otherwise, and at a price equal in amount to the price which the City will pay for the lands to be conveyed to the City as hereinbefore provided, the portion of Carlton Street as it now exists immediately east of Yonge Street which is shown coloured yellow on the said blue print hereunto annexed, and without limiting the generality of the foregoing it is understood that such encumbrances shall include all sewers and watermains, and also any electrical, gas or other services constructed by any person or corporation other than the City in, upon or under the said portion of Carlton Street to be closed.

(5) Upon the said lands shown coloured yellow on the said blue print hereunto annexed being conveyed to the Company or its nominees as aforesaid the Company shall forthwith convey or cause to be conveyed to the owners of Carlton Street United Church without cost to such owners or to the City that portion of the said lands shown coloured yellow which is cross-hatched on the said blue print said portion lying between the lines of the prolongation northerly of the easterly and westerly limits of the Carlton Street United Church property on the south side of Carlton Street as shown on said plan, subject to the Company procuring from such owners of Carlton Street United Church and depositing with the City an undertaking or indemnity agreement in a form to be approved by the solicitor for the City that the said owners, their successors and assigns, will not make any claim or bring any action against the City by reason or on account of the closing of the portion of Carlton Street or the prosecution and consummation of the improvement contemplated by the provisions of this agreement.

(6) In the event of the City at any time or times undertaking the widening of any portion or portions of Carlton Street lying between a line distant one hundred and twenty-four feet four inches east of the easterly limit of Church Street, which line is marked "C" on the plan hereto annexed, and the easterly limit of Carlton Street at Riverdale Park, no portion of the lands which upon the carrying out of this agreement shall front or abut on the north side of Carlton Street between Yonge Street and the line marked "C" or which shall front or abut on the south limit of Carlton Street between Yonge Street and the westerly limit of the property of the Carlton Street United Church or the production northerly of such limit shall be assessed for or charged (except



by way of general taxation) with any portion of the cost of such widening or of the cost of any pavements, sidewalks, sewers, watermains or other public works or services constructed in connection with or as a result of such a widening.

(7) The Company shall have no claim and will not make any claim upon or against the City for any damages or compensation whatsoever on account of or resulting from the proposed work or any work done or undertaken as provided in this agreement, and the Company will indemnify and save harmless the City from any loss or expense in respect to any such claim that may be made against the City in respect to any lands abutting on the north side of Carlton Street between Yonge Street and the said line marked "C" or upon the south side of Carlton Street between Yonge Street and the westerly limit of the Carlton Street United Church property.

(8) Upon the said lands coloured red being conveyed to the City as hereinbefore provided the City shall forthwith proceed to construct as local improvement works, under the provisions of *The Local Improvement Act*, a pavement (exclusive of street railway track allowance) and curbs and sidewalks upon Carlton Street between the said lines marked "B" and "C" respectively on the annexed plan.

(8) This agreement shall take effect upon being validated by the Legislature of the Province of Ontario at its next session and if not so validated shall be null and void and neither party shall have any right or claim against the other in respect to the matters herein provided. Both parties will use their best endeavours to procure the enactment of legislation at the next session of the Legislature of the Province of Ontario to validate this agreement.

In witness whereof the said parties hereto have hereunto affixed their corporate seals and the hands of their proper officers.

SIGNED, SEALED AND DELIVERED
in the presence of:

BERT S. WEMP,
Mayor.

H. REBURN,
Deputy Treasurer.

[CORPORATE SEAL]

THE T. EATON CO., LIMITED,

H. MCGEE,
Vice-President.

J. J. VAUGHAN,
Secretary-Treasurer.

[CORPORATE SEAL]

BILL

An Act respecting the City of Toronto.

1st Reading

2nd Reading

3rd Reading

MR. NESBITT

(*Private Bill*)

No. 33

2ND SESSION, 18TH LEGISLATURE, ONTARIO
21 GEORGE V, 1931

BILL

An Act respecting the City of Toronto.

MR. NESBITT

(PRIVATE BILL)

TORONTO
PRINTED BY HERBERT H. BALL
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

No. 33

1931

BILL

An Act respecting the City of Toronto.

Preamble.

WHEREAS the corporation of the city of Toronto has by its petition prayed for special legislation in respect to the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

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1. This Act may be cited as *The City of Toronto Act, 1931*.

Confirmation
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2. The following expenditures by the council of the corporation of the city of Toronto out of current revenue for 1930 are hereby authorized, validated and confirmed, namely:

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- (2) A grant of \$3,500 to the Canadian Social Hygiene Council;
- (3) A grant of \$7,500 to the Parkdale Canoe Club;
- (4) A grant of \$100,000 to the Federation for Community Service Fund;
- (5) A grant of \$20,000 to the Federation of Catholic Charities;
- (6) A grant of \$15,000 to the Federation of Jewish Philanthropies of Toronto;
- (7) A grant of \$500 to the Balmy Beach Club;
- (8) An expenditure of \$9,000 for the purposes set out in section 437 of *The Municipal Act* in excess of the amount authorized by said section.

Rev. Stat.,
c. 233.

By-law
No. 12790
relating to
University
Avenue
Extension
confirmed.

Rev. Stat.,
c. 235.

Compensa-
tion for
lands.

Rev. Stat.,
c. 233 and
c. 242.

1928, c. 17,
ss. 3 to 6
to apply.



Securities for
temporary
loans.

Agreement
with The
T. Eaton
Company,
Limited,
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3.—(1) By-law number 12790 passed by the council of the said corporation on the 22nd day of September, 1930, and entitled "A By-law to undertake the extension of University Avenue from its present southerly terminus at Queen Street southerly and southeasterly to Front Street" is hereby validated and confirmed and it is hereby declared that the said by-law was legally and validly passed under and pursuant to the provisions of *The Local Improvement Act* and that the provisions of the said Act apply to the work authorized by the said by-law.

(2) The compensation payable by the said corporation for any land heretofore or hereafter acquired or expropriated for or in connection with the extension of University Avenue authorized by the said by-law number 12790 shall be determined by the Official Arbitrator under the provisions of *The Municipal Act* and *The Municipal Arbitrations Act*, and for the purpose of determining the amount of such compensation the value of the said land shall be fixed as of the 3rd day of April, 1928.

(3) The said council may exercise in respect either to University Avenue as it now exists or University Avenue as so extended to Front Street, the powers provided for in sections 3 to 6 inclusive of *The University Avenue Extension Act*, 1928.

 (4) Pending completion of the work authorized by the said by-law number 12790, the council may without the assent of the electors qualified to vote on money by-laws from time to time borrow upon the credit of the corporation any money that may be required to complete the said work or to repay any sum or sums so borrowed for such purposes and the interest thereon, either by obtaining advances from any bank or person, or by issuing debentures, notes or other securities in such form and at such rate of interest and payable upon such dates as the council of the said corporation may from time to time determine, and the amount of money so borrowed and outstanding at the time of the completion of the work, and any amounts paid or payable for interest upon any sum so borrowed shall form part of the cost of the work and shall be a first charge upon and be repaid out of the moneys borrowed by the corporation to pay the cost of the said work upon its completion. 

4. The agreement dated the 18th day of December, 1930, made between the said corporation and The T. Eaton Company, Limited, set out in schedule "A," is hereby confirmed and declared to be legal, valid and binding upon the parties thereto and the said parties are hereby authorized to carry out and enjoy their respective obligations and privileges thereunder.

By-law
No. 12682
relating
to Church
Street
Extension
and
Davenport
Road
Widening
confirmed.
Rev. Stat.,
c. 235.

5. By-law number 12682 passed by the council of the said corporation on the 2nd day of June, 1930, and entitled "A By-law to authorize the extension of Church Street, from Bloor Street to Yonge Street and the widening of Davenport Road, from Yonge Street to McAlpine Street, as a local improvement work under section 8 of *The Local Improvement Act*," is hereby validated and confirmed and it is hereby declared that the said by-law was legally and validly passed under and pursuant to the provisions of the said Act, and that the provisions thereof apply to the work authorized by the said by-law.

Tax sales
and
conveyances
confirmed.

6.—(1) All sales of land within the city of Toronto made prior to the 31st day of December, 1929, and purporting to have been made by the treasurer of the said city for arrears of taxes in respect to the land so sold are hereby validated and confirmed, and all conveyances of land so sold executed by the mayor, treasurer and clerk of the said corporation purporting to convey the said land so sold to the purchaser thereof or his heirs or assigns, or to the said corporation, shall have the effect of vesting the lands so sold in the purchaser or his heirs or assigns and his or their heirs and assigns or in the said corporation and its successors and assigns, as the case may be, in fee simple and clear of and free from all right, title and interest whatsoever of the owners thereof at the time of said sale, or their assigns, and all charges and encumbrances thereon and dower therein, except taxes accruing after those for non-payment of which the lands were sold.

Pending
litigation
not
affected.

(2) Nothing in this section contained shall affect or prejudice the rights of any person under any action, litigation or other proceedings now pending, but the same may be proceeded with and finally adjudicated upon in the same manner and as fully and effectually as if this Act had not been passed.

Reconstruc-
tion of Old
Technical
School.

7. The council of the said corporation may, without submitting the same to the electors qualified to vote on money by-laws, pass a by-law or by-laws for the issue of debentures to an amount not exceeding \$185,000 to provide for the cost of reconstructing the Old Technical School Building on the south side of College Street in the city of Toronto.

Corpora-
tion's por-
tion of cost
of pave-
ments—
what to
include.

Rev. Stat.,
c. 235.

8.—(1) Whenever the council of the said corporation shall hereafter undertake, as a local improvement work under the provisions of *The Local Improvement Act*, the construction of a pavement, or the resurfacing or widening of a pavement, of or to a greater width than thirty-six feet (exclusive of the width of any street railway track allowance) there shall be included in the corporation's portion of the cost of the work so much of the cost as is incurred by reason of the work having such greater width.

(2) The council of the said corporation may, by the vote of three-fourths of all the members thereof, provide that so much of the cost of any work referred to in subsection 1 as is incurred by reason of the work having a greater width than thirty-two feet (exclusive of the width of any street railway track allowance) shall be included in the corporation's portion of the cost of the work.

Power to carry out agreement for stables at Exhibition Park.

9. The said corporation may do all acts necessary to perform the agreement made between the said corporation, His Majesty the King in right of the Dominion of Canada and His Majesty the King in right of the Province of Ontario, dated the 24th day of February, 1931, with respect to the erection of new horse stables in Exhibition Park, and the council of the said corporation may, without submitting same to the electors qualified to vote on money by-laws, pass a by-law or by-laws for the issue of debentures to raise the portions of the cost of the said horse stables required to be so raised by the provisions of said agreement.

Validity of debentures.

10.—(1) It shall not be necessary for the said corporation to obtain the assent of the electors of the said city qualified to vote on money by-laws to the passing of any by-law authorizing the issue of debentures to pay for the cost of any work undertaken under the authority of sections 3, 4, 5, 7 and 9 of this Act or of any by-law passed thereunder or confirmed thereby or to observe in respect thereto the formalities prescribed by *The Municipal Act* in respect to the passing of money by-laws.

Rev. Stat., c. 233.

(2) Debentures issued under the provisions of any of said by-laws shall bear interest at such rate as the council of the said corporation shall in such by-law determine and the principal and interest thereof may be made payable in any manner authorized by *The Municipal Act*.

(3) All debentures so issued or to be issued shall be legal, valid and binding upon the said corporation and the rate-payers thereof notwithstanding any irregularity in the form of any of such debentures or in any by-law authorizing the issue thereof.

Commencement of Act.

11. The provisions of this Act, other than section 6, shall come into force on the day upon which it receives the Royal Assent. Section 6 shall come into force on the 1st day of July, 1931.

SCHEDULE "A"

THIS AGREEMENT made in triplicate the 18th day of December, 1930.

BETWEEN:

THE CORPORATION OF THE CITY OF TORONTO,
hereinafter called the "City,"

of the first part;

—and—

THE T. EATON COMPANY LIMITED,
hereinafter called the "Company,"

of the second part.

Whereas it is necessary and desirable in the public interest that the jog at the intersection of College, Yonge and Carlton Streets in the City of Toronto be eliminated;

And whereas in order to proceed with such elimination it is proposed that a new section of Carlton Street shall be projected south-easterly from Yonge Street (about opposite College Street) at a width of eighty-six feet more or less to a junction with Carlton Street as it now exists and that from such junction easterly to a location one hundred and twenty-four feet four inches more or less east of the east limit of Church Street, Carlton Street shall be widened to eighty feet more or less by adding thereto a strip of land approximately fourteen feet in width adjoining the present northerly limit of Carlton Street, and that a portion of Carlton Street as it now exists which will not be required for highway purposes when the proposed work and improvements are consummated shall be closed and conveyed by the City to the Company or its nominees, the said portion of Carlton Street being that portion adjoining the easterly limit of Yonge Street having a measurement of ninety-two feet one and one-quarter inches on its northerly limit and a measurement of two hundred and sixty-seven feet six and one-half inches on its southerly limit and being shown coloured yellow on the blue print hereunto annexed, which blue print has been prepared by Tracy D. leMay, Esquire, O.L.S., City Surveyor, and is dated July 23rd, 1930;

And whereas all lands which will be required for the purpose of carrying out the projection of such new section of Carlton Street and the said widening of Carlton Street are owned or controlled by the Company and are shown coloured red on the said blue print hereto annexed;

And whereas the Company and the City have agreed to enter into and execute this agreement setting forth the obligations to be observed and performed by the Company and the City respectively to effect the consummation of the said work and improvements, and the execution of this agreement by the City is authorized by Report No. 14 of the Committee on Works adopted by the Council of the City on the twenty-fifth day of September, 1930;

Now therefore this agreement witnesseth that in consideration of the premises and of the mutual covenants and agreements hereinafter contained the Company and the City have agreed as follows:—

(1) The Company shall forthwith upon reasonable notice from the City so to do cause to be expeditiously removed at its own cost and expense all buildings and structures or portions thereof situated in, upon or under the lands required by the City to effect the said improvements, being the lands shown coloured red on the said blueprint hereto annexed, provided that the buildings known in the year 1930 as Nos. 34, 36 and 38 Carlton Street and so shown on the plan hereto annexed shall be allowed to remain in their present position for their respective lifetimes or until their reconstruction upon the Company executing in respect thereto the usual agreement (without cancellation provision) required by the City in a case of encroachment of buildings over the street line.

(2) Upon the removal of such buildings and structures or portions thereof as hereinbefore provided the Company shall convey or cause to be conveyed to the City free of all dower and encumbrances physical or otherwise (except as hereinbefore provided in respect to Nos. 34, 36 and 38 Carlton Street) the said lands shown coloured red on the blue print hereunto annexed (exclusive of public lanes, if any, of which the City has possession) at a price to be agreed upon by the Company and the City.

(3) Forthwith upon the conveyance to the City of the said lands as hereinbefore provided the City shall without expense to the Company or any other owner of abutting land (except by way of general taxation) pave or cause to be paved the portion of Carlton Street as it will exist after the carrying out of the said improvement from the easterly limit of Yonge Street to the line marked "B" on the said blue print hereto annexed, excepting thereout the Street Railway Track allowance, and shall also without expense to the Company or any other owner of abutting land (except by way of general taxation) construct or cause to be constructed in, upon or under the said portion of Carlton Street between the easterly limit of Yonge Street and the said line marked "B" sidewalks of a width of sixteen feet, more or less (including curb) and a sewer and watermain, the intent of the parties hereto being that the City shall without expense to the Company or other owners of lands abutting on the said portion of Carlton Street (except by way of general taxation), provide on the said portion of Carlton Street facilities for the use of same as a public highway equal to those now existing on the portion of Carlton Street to be closed as hereinafter provided.

(4) As soon as possible after the said portion of Carlton Street as hereinbefore in paragraph 3 described shall have been opened to traffic the City shall close as a public highway and convey to the Company or its nominees free of all encumbrances, physical or otherwise, and at a price equal in amount to the price which the City will pay for the lands to be conveyed to the City as hereinbefore provided, the portion of Carlton Street as it now exists immediately east of Yonge Street which is shown coloured yellow on the said blue print hereunto annexed, and without limiting the generality of the foregoing it is understood that such encumbrances shall include all sewers and watermains, and also any electrical, gas or other services constructed by any person or corporation other than the City in, upon or under the said portion of Carlton Street to be closed.

(5) Upon the said lands shown coloured yellow on the said blue print hereunto annexed being conveyed to the Company or its nominees as aforesaid the Company shall forthwith convey or cause to be conveyed to the owners of Carlton Street United Church without cost to such owners or to the City that portion of the said lands shown coloured yellow which is cross-hatched on the said blue print said portion lying between the lines of the prolongation northerly of the easterly and westerly limits of the Carlton Street United Church property on the south side of Carlton Street as shown on said plan, subject to the Company procuring from such owners of Carlton Street United Church and depositing with the City an undertaking or indemnity agreement in a form to be approved by the solicitor for the City that the said owners, their successors and assigns, will not make any claim or bring any action against the City by reason or on account of the closing of the portion of Carlton Street or the prosecution and consummation of the improvement contemplated by the provisions of this agreement.

(6) In the event of the City at any time or times undertaking the widening of any portion or portions of Carlton Street lying between a line distant one hundred and twenty-four feet four inches east of the easterly limit of Church Street, which line is marked "C" on the plan hereto annexed, and the easterly limit of Carlton Street at Riverdale Park, no portion of the lands which upon the carrying out of this agreement shall front or abut on the north side of Carlton Street between Yonge Street and the line marked "C" or which shall front or abut on the south limit of Carlton Street between Yonge Street and the westerly limit of the property of the Carlton Street United Church or the production northerly of such limit shall be assessed for or charged (except

by way of general taxation) with any portion of the cost of such widening or of the cost of any pavements, sidewalks, sewers, watermains or other public works or services constructed in connection with or as a result of such a widening.

(7) The Company shall have no claim and will not make any claim upon or against the City for any damages or compensation whatsoever on account of or resulting from the proposed work or any work done or undertaken as provided in this agreement, and the Company will indemnify and save harmless the City from any loss or expense in respect to any such claim that may be made against the City in respect to any lands abutting on the north side of Carlton Street between Yonge Street and the said line marked "C" or upon the south side of Carlton Street between Yonge Street and the westerly limit of the Carlton Street United Church property.

(8) Upon the said lands coloured red being conveyed to the City as hereinbefore provided the City shall forthwith proceed to construct as local improvement works, under the provisions of *The Local Improvement Act*, a pavement (exclusive of street railway track allowance) and curbs and sidewalks upon Carlton Street between the said lines marked "B" and "C" respectively on the annexed plan.

(8) This agreement shall take effect upon being validated by the Legislature of the Province of Ontario at its next session and if not so validated shall be null and void and neither party shall have any right or claim against the other in respect to the matters herein provided. Both parties will use their best endeavours to procure the enactment of legislation at the next session of the Legislature of the Province of Ontario to validate this agreement.

In witness whereof the said parties hereto have hereunto affixed their corporate seals and the hands of their proper officers.

SIGNED, SEALED AND DELIVERED
in the presence of:

BERT S. WEMP,
Mayor.

H. REBURN,
Deputy Treasurer.

[CORPORATE SEAL]

THE T. EATON CO., LIMITED,

H. MCGEE,
Vice-President.

J. J. VAUGHAN,
Secretary-Treasurer.

[CORPORATE SEAL]

BILL

An Act respecting the City of Toronto.

1st Reading

February 17th, 1931

2nd Reading

3rd Reading

MR. NESBITT

*(Reprinted as amended by the Private
Bills Committee)*

No. 33

2ND SESSION, 18TH LEGISLATURE, ONTARIO
21 GEORGE V, 1931

BILL

An Act respecting the City of Toronto.

MR. NESBITT

TORONTO
PRINTED BY HERBERT H. BALL
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

BILL

An Act respecting the City of Toronto.

Preamble.

WHEREAS the corporation of the city of Toronto has by its petition prayed for special legislation in respect to the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The City of Toronto Act, 1931*.

Confirmation of specified expenditures.

2. The following expenditures by the council of the corporation of the city of Toronto out of current revenue for 1930 are hereby authorized, validated and confirmed, namely:

- (1) A grant of \$500 to the St. Elizabeth Visiting Nurses' Association;
- (2) A grant of \$3,500 to the Canadian Social Hygiene Council;
- (3) A grant of \$7,500 to the Parkdale Canoe Club;
- (4) A grant of \$100,000 to the Federation for Community Service Fund;
- (5) A grant of \$20,000 to the Federation of Catholic Charities;
- (6) A grant of \$15,000 to the Federation of Jewish Philanthropies of Toronto;
- (7) A grant of \$500 to the Balmy Beach Club;
- (8) An expenditure of \$9,000 for the purposes set out in section 437 of *The Municipal Act* in excess of the amount authorized by said section.

3.—(1) By-law number 12790 passed by the council of the said corporation on the 22nd day of September, 1930, and entitled "A By-law to undertake the extension of University Avenue from its present southerly terminus at Queen Street southerly and southeasterly to Front Street" is hereby validated and confirmed and it is hereby declared that the said by-law was legally and validly passed under and pursuant to the provisions of *The Local Improvement Act* and that the provisions of the said Act apply to the work authorized by the said by-law.

By-law
No. 12790
relating to
University
Avenue
Extension
confirmed.

Rev. Stat.,
c. 235.

(2) The compensation payable by the said corporation for any land heretofore or hereafter acquired or expropriated for or in connection with the extension of University Avenue authorized by the said by-law number 12790 shall be determined by the Official Arbitrator under the provisions of *The Municipal Act* and *The Municipal Arbitrations Act*, and for the purpose of determining the amount of such compensation the value of the said land shall be fixed as of the 3rd day of April, 1928.

Compensa-
tion for
lands.

Rev. Stat.,
c. 233 and
c. 242.

(3) The said council may exercise in respect either to University Avenue as it now exists or University Avenue as so extended to Front Street, the powers provided for in sections 3 to 6 inclusive of *The University Avenue Extension Act, 1928*.

1928, c. 17,
ss. 3 to 6
to apply.

(4) Pending completion of the work authorized by the said by-law number 12790, the council may without the assent of the electors qualified to vote on money by-laws from time to time borrow upon the credit of the corporation any money that may be required to complete the said work or to repay any sum or sums so borrowed for such purposes and the interest thereon, either by obtaining advances from any bank or person, or by issuing debentures, notes or other securities in such form and at such rate of interest and payable upon such dates as the council of the said corporation may from time to time determine, and the amount of money so borrowed and outstanding at the time of the completion of the work, and any amounts paid or payable for interest upon any sum so borrowed shall form part of the cost of the work and shall be a first charge upon and be repaid out of the moneys borrowed by the corporation to pay the cost of the said work upon its completion.

Securities for
temporary
loans.

4. The agreement dated the 18th day of December, 1930, made between the said corporation and The T. Eaton Company, Limited, set out in schedule "A," is hereby confirmed and declared to be legal, valid and binding upon the parties thereto and the said parties are hereby authorized to carry out and enjoy their respective obligations and privileges thereunder.

Agreement
with The
T. Eaton
Company,
Limited,
confirmed.

By-law
No. 12682
relating
to Church
Street
Extension
and
Davenport
Road
Widening
confirmed.

Rev. Stat.,
c. 235.

5. By-law number 12682 passed by the council of the said corporation on the 2nd day of June, 1930, and entitled "A By-law to authorize the extension of Church Street, from Bloor Street to Yonge Street and the widening of Davenport Road, from Yonge Street to McAlpine Street, as a local improvement work under section 8 of *The Local Improvement Act*," is hereby validated and confirmed and it is hereby declared that the said by-law was legally and validly passed under and pursuant to the provisions of the said Act, and that the provisions thereof apply to the work authorized by the said by-law.

Tax sales
and
conveyances
confirmed.

6.—(1) All sales of land within the city of Toronto made prior to the 31st day of December, 1929, and purporting to have been made by the treasurer of the said city for arrears of taxes in respect to the land so sold are hereby validated and confirmed, and all conveyances of land so sold executed by the mayor, treasurer and clerk of the said corporation purporting to convey the said land so sold to the purchaser thereof or his heirs or assigns, or to the said corporation, shall have the effect of vesting the lands so sold in the purchaser or his heirs or assigns and his or their heirs and assigns or in the said corporation and its successors and assigns, as the case may be, in fee simple and clear of and free from all right, title and interest whatsoever of the owners thereof at the time of said sale, or their assigns, and all charges and encumbrances thereon and dower therein, except taxes accruing after those for non-payment of which the lands were sold.

Pending
litigation
not
affected.

(2) Nothing in this section contained shall affect or prejudice the rights of any person under any action, litigation or other proceedings now pending, but the same may be proceeded with and finally adjudicated upon in the same manner and as fully and effectually as if this Act had not been passed.

Reconstruction
of Old
Technical
School.

7. The council of the said corporation may, without submitting the same to the electors qualified to vote on money by-laws, pass a by-law or by-laws for the issue of debentures to an amount not exceeding \$185,000 to provide for the cost of reconstructing the Old Technical School Building on the south side of College Street in the city of Toronto.

Corporation's
portion of cost
of pavements—
what to
include.

Rev. Stat.,
c. 235.

8.—(1) Whenever the council of the said corporation shall hereafter undertake, as a local improvement work under the provisions of *The Local Improvement Act*, the construction of a pavement, or the resurfacing or widening of a pavement, of or to a greater width than thirty-six feet (exclusive of the width of any street railway track allowance) there shall be included in the corporation's portion of the cost of the work so much of the cost as is incurred by reason of the work having such greater width.

(2) The council of the said corporation may, by the vote of three-fourths of all the members thereof, provide that so much of the cost of any work referred to in subsection 1 as is incurred by reason of the work having a greater width than thirty-two feet (exclusive of the width of any street railway track allowance) shall be included in the corporation's portion of the cost of the work.

9. The said corporation may do all acts necessary to perform the agreement made between the said corporation, His Majesty the King in right of the Dominion of Canada and His Majesty the King in right of the Province of Ontario, dated the 24th day of February, 1931, with respect to the erection of new horse stables in Exhibition Park, and the council of the said corporation may, without submitting same to the electors qualified to vote on money by-laws, pass a by-law or by-laws for the issue of debentures to raise the portions of the cost of the said horse stables required to be so raised by the provisions of said agreement.

Power to carry out agreement for stables at Exhibition Park.

10.—(1) It shall not be necessary for the said corporation to obtain the assent of the electors of the said city qualified to vote on money by-laws to the passing of any by-law authorizing the issue of debentures to pay for the cost of any work undertaken under the authority of sections 3, 4, 5, 7 and 9 of this Act or of any by-law passed thereunder or confirmed thereby or to observe in respect thereto the formalities prescribed by *The Municipal Act* in respect to the passing of money by-laws.

Validity of debentures.

(2) Debentures issued under the provisions of any of said by-laws shall bear interest at such rate as the council of the said corporation shall in such by-law determine and the principal and interest thereof may be made payable in any manner authorized by *The Municipal Act*.

Rev. Stat., c. 233.

(3) All debentures so issued or to be issued shall be legal, valid and binding upon the said corporation and the rate-payers thereof notwithstanding any irregularity in the form of any of such debentures or in any by-law authorizing the issue thereof.

11. The provisions of this Act, other than section 6, shall come into force on the day upon which it receives the Royal Assent. Section 6 shall come into force on the 1st day of July, 1931.

Commencement of Act.

SCHEDULE "A"

THIS AGREEMENT made in triplicate the 18th day of December, 1930.

BETWEEN:

THE CORPORATION OF THE CITY OF TORONTO,
hereinafter called the "City,"

—and—

THE T. EATON COMPANY LIMITED,
hereinafter called the "Company,"

of the first part;

of the second part.

Whereas it is necessary and desirable in the public interest that the jog at the intersection of College, Yonge and Carlton Streets in the City of Toronto be eliminated;

And whereas in order to proceed with such elimination it is proposed that a new section of Carlton Street shall be projected south-easterly from Yonge Street (about opposite College Street) at a width of eighty-six feet more or less to a junction with Carlton Street as it now exists and that from such junction easterly to a location one hundred and twenty-four feet four inches more or less east of the east limit of Church Street, Carlton Street shall be widened to eighty feet more or less by adding thereto a strip of land approximately fourteen feet in width adjoining the present northerly limit of Carlton Street, and that a portion of Carlton Street as it now exists which will not be required for highway purposes when the proposed work and improvements are consummated shall be closed and conveyed by the City to the Company or its nominees, the said portion of Carlton Street being that portion adjoining the easterly limit of Yonge Street having a measurement of ninety-two feet one and one-quarter inches on its northerly limit and a measurement of two hundred and sixty-seven feet six and one-half inches on its southerly limit and being shown coloured yellow on the blue print hereunto annexed, which blue print has been prepared by Tracy D. leMay, Esquire, O.L.S., City Surveyor, and is dated July 23rd, 1930;

And whereas all lands which will be required for the purpose of carrying out the projection of such new section of Carlton Street and the said widening of Carlton Street are owned or controlled by the Company and are shown coloured red on the said blue print hereto annexed;

And whereas the Company and the City have agreed to enter into and execute this agreement setting forth the obligations to be observed and performed by the Company and the City respectively to effect the consummation of the said work and improvements, and the execution of this agreement by the City is authorized by Report No. 14 of the Committee on Works adopted by the Council of the City on the twenty-fifth day of September, 1930;

Now therefore this agreement witnesseth that in consideration of the premises and of the mutual covenants and agreements hereinafter contained the Company and the City have agreed as follows:—

(1) The Company shall forthwith upon reasonable notice from the City so to do cause to be expeditiously removed at its own cost and expense all buildings and structures or portions thereof situated in, upon or under the lands required by the City to effect the said improvements, being the lands shown coloured red on the said blueprint hereto annexed, provided that the buildings known in the year 1930 as Nos. 34, 36 and 38 Carlton Street and so shown on the plan hereto annexed shall be allowed to remain in their present position for their respective lifetimes or until their reconstruction upon the Company executing in respect thereto the usual agreement (without cancellation provision) required by the City in a case of encroachment of buildings over the street line.

(2) Upon the removal of such buildings and structures or portions thereof as hereinbefore provided the Company shall convey or cause to be conveyed to the City free of all dower and encumbrances physical or otherwise (except as hereinbefore provided in respect to Nos. 34, 36 and 38 Carlton Street) the said lands shown coloured red on the blue print hereunto annexed (exclusive of public lanes, if any, of which the City has possession) at a price to be agreed upon by the Company and the City.

(3) Forthwith upon the conveyance to the City of the said lands as hereinbefore provided the City shall without expense to the Company or any other owner of abutting land (except by way of general taxation) pave or cause to be paved the portion of Carlton Street as it will exist after the carrying out of the said improvement from the easterly limit of Yonge Street to the line marked "B" on the said blue print hereto annexed, excepting thereout the Street Railway Track allowance, and shall also without expense to the Company or any other owner of abutting land (except by way of general taxation) construct or cause to be constructed in, upon or under the said portion of Carlton Street between the easterly limit of Yonge Street and the said line marked "B" sidewalks of a width of sixteen feet, more or less (including curb) and a sewer and watermain, the intent of the parties hereto being that the City shall without expense to the Company or other owners of lands abutting on the said portion of Carlton Street (except by way of general taxation), provide on the said portion of Carlton Street facilities for the use of same as a public highway equal to those now existing on the portion of Carlton Street to be closed as hereinafter provided.

(4) As soon as possible after the said portion of Carlton Street as hereinbefore in paragraph 3 described shall have been opened to traffic the City shall close as a public highway and convey to the Company or its nominees free of all encumbrances, physical or otherwise, and at a price equal in amount to the price which the City will pay for the lands to be conveyed to the City as hereinbefore provided, the portion of Carlton Street as it now exists immediately east of Yonge Street which is shown coloured yellow on the said blue print hereunto annexed, and without limiting the generality of the foregoing it is understood that such encumbrances shall include all sewers and watermains, and also any electrical, gas or other services constructed by any person or corporation other than the City in, upon or under the said portion of Carlton Street to be closed.

(5) Upon the said lands shown coloured yellow on the said blue print hereunto annexed being conveyed to the Company or its nominees as aforesaid the Company shall forthwith convey or cause to be conveyed to the owners of Carlton Street United Church without cost to such owners or to the City that portion of the said lands shown coloured yellow which is cross-hatched on the said blue print said portion lying between the lines of the prolongation northerly of the easterly and westerly limits of the Carlton Street United Church property on the south side of Carlton Street as shown on said plan, subject to the Company procuring from such owners of Carlton Street United Church and depositing with the City an undertaking or indemnity agreement in a form to be approved by the solicitor for the City that the said owners, their successors and assigns, will not make any claim or bring any action against the City by reason or on account of the closing of the portion of Carlton Street or the prosecution and consummation of the improvement contemplated by the provisions of this agreement.

(6) In the event of the City at any time or times undertaking the widening of any portion or portions of Carlton Street lying between a line distant one hundred and twenty-four feet four inches east of the easterly limit of Church Street, which line is marked "C" on the plan hereto annexed, and the easterly limit of Carlton Street at Riverdale Park, no portion of the lands which upon the carrying out of this agreement shall front or abut on the north side of Carlton Street between Yonge Street and the line marked "C" or which shall front or abut on the south limit of Carlton Street between Yonge Street and the westerly limit of the property of the Carlton Street United Church or the production northerly of such limit shall be assessed for or charged (except

by way of general taxation) with any portion of the cost of such widening or of the cost of any pavements, sidewalks, sewers, watermains or other public works or services constructed in connection with or as a result of such a widening.

(7) The Company shall have no claim and will not make any claim upon or against the City for any damages or compensation whatsoever on account of or resulting from the proposed work or any work done or undertaken as provided in this agreement, and the Company will indemnify and save harmless the City from any loss or expense in respect to any such claim that may be made against the City in respect to any lands abutting on the north side of Carlton Street between Yonge Street and the said line marked "C" or upon the south side of Carlton Street between Yonge Street and the westerly limit of the Carlton Street United Church property.

(8) Upon the said lands coloured red being conveyed to the City as hereinbefore provided the City shall forthwith proceed to construct as local improvement works, under the provisions of *The Local Improvement Act*, a pavement (exclusive of street railway track allowance) and curbs and sidewalks upon Carlton Street between the said lines marked "B" and "C" respectively on the annexed plan.

(8) This agreement shall take effect upon being validated by the Legislature of the Province of Ontario at its next session and if not so validated shall be null and void and neither party shall have any right or claim against the other in respect to the matters herein provided. Both parties will use their best endeavours to procure the enactment of legislation at the next session of the Legislature of the Province of Ontario to validate this agreement.

In witness whereof the said parties hereto have hereunto affixed their corporate seals and the hands of their proper officers.

SIGNED, SEALED AND DELIVERED
in the presence of:

BERT S. WEMP,
Mayor.

H. REBURN,
Deputy Treasurer.

[CORPORATE SEAL]

THE T. EATON CO., LIMITED,

H. MCGEE,
Vice-President.

J. J. VAUGHAN,
Secretary-Treasurer.

[CORPORATE SEAL]

BILL

An Act respecting the City of Toronto.

1st Reading

February 17th, 1931

2nd Reading

March 27th, 1931

3rd Reading

March 31st, 1931

MR. NESBITT

No. 34

2ND SESSION, 18TH LEGISLATURE, ONTARIO
21 GEORGE V, 3931

BILL

An Act respecting the Town of Alliston.

MR. JAMIESON

(PRIVATE BILL)

TORONTO
PRINTED BY HERBERT H. BALL
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

No. 34

1931

BILL

An Act respecting the Town of Alliston.

Preamble.

WHEREAS the corporation of the town of Alliston has by its petition represented that its by-laws numbers 456 and 457 and the debentures to be issued thereunder should be confirmed and also that it be given authority to pass a by-law to authorize the issue of debentures for \$123,000 to pay for the cost of construction of certain pavements in the said town and to validate the issue of such debentures and to provide that the cost of such pavements shall be borne and paid as hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Town of Alliston Act, 1931*.

By-laws
Nos. 456 and
457 and
debentures
confirmed.

2. By-law number 456 of the corporation of the town of Alliston to provide for borrowing \$93,000 upon debentures to pay for the cost of a sewer system for the said town and by-law number 457 of the said corporation to provide for borrowing \$24,000 upon debentures to pay for the cost of a sewage disposal plant for the said town and all debentures issued or to be issued under the authority of said by-laws or either of them are confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof.

Issue of
debentures
and
assessments
for
pavements
authorized.

3. The council of the said corporation may, without submitting the same for the assent of the electors of the said town qualified to vote on money by-laws, pass a by-law to authorize the issue of debentures for \$123,000 payable within fifteen years from the date of the issue of the same and at such rate of interest not exceeding six per centum per annum as the said council may determine, to pay for the cost of certain concrete pavements constructed in the said town during the years 1929 and 1930 as set forth in schedule "A"

to this Act, and to provide that the cost of the said pavements and payment of the said debentures and interest thereon shall be borne, paid and assessed under the provisions of *The Local Improvement Act* in the same manner and to the same extent as if such pavements had been undertaken in conformity with the provisions thereof, except that the said corporation in addition to bearing and paying that portion of the said cost which under the said Act is to be borne and paid by the corporation, shall bear and pay \$52,000 of said cost and also one half of the remaining portion of such cost, and the balance only of said cost shall be the portion which under the said Act shall be specially assessed upon the lots abutting directly on the said respective pavements.

Rev. Stat.,
c. 235, s. 21,
not to
apply.

4. Notwithstanding the provisions of *The Local Improvement Act*, any contribution in cash or by way of annuity received by the said corporation to be applied towards the cost of the said pavements, or any of them, shall be applied only in respect of the portion of such cost which is to be borne and paid by the said corporation under this Act.

Irregularities
not to
invalidate.

5. No irregularity in the form of any debentures issued or to be issued under the authority of this Act or of any by-law authorizing the issue thereof shall render the same invalid or illegal or be allowed as a defence to any action brought against the said corporation for the recovery of the said debentures or interest or any part thereof; and the purchaser or holder thereof shall not be bound to enquire as to the necessity of passing such by-law or issuing such debentures or into any of the proceedings in connection therewith or as to the application of the proceeds of such debentures.

Commence-
ment of Act.

6. This Act shall come into force on the day upon which it receives the Royal Assent.

SCHEDULE "A" PAVEMENTS

	Name of Street	From Street	To Street
1	Albert.....	West limit of Church.....	East limit of Paris.
2	Centre.....	North limit of Victoria.....	8' south of the centre line of Dominion.
3	Centre.....	South limit of Victoria.....	South limit of Albert.
4	Church.....	North limit of Victoria.....	8' south of the centre line of Dominion.
5	Church.....	South limit of Victoria.....	South limit of Albert.
6	Dominion.....	10' west of the centre line of Church.....	10' east of the centre line of Centre.
7	Dufferin.....	South limit of Victoria.....	South limit of Albert.
8	Fletcher Crescent.....	26' west of the west limit of Lot No. 5, north side of Fletcher Crescent	378' westerly therefrom.
9	McDonald.....	South limit of Victoria.....	South limit of Wellington.
10	Nelson.....	West limit of Paris.....	Canadian National Railway track.
11	Nelson.....	Canadian National Railway track.....	East edge of King Street pavement.
12	Ontario.....	South limit of Victoria.....	South limit of Albert.
13	Paris.....	South limit of Victoria.....	South limit of Albert.
14	Wellington.....	23' west of east limit of King.....	330' east of east line of Centre.
15	Wellington.....	East limit of Dufferin.....	West limit of Lorne.
16	Victoria.....	East limit of Centre.....	Canadian Pacific Railway track.
17	Right-of-way.....	South limit of Fletcher Crescent.....	109' southerly therefrom.

BILL

An Act respecting the Town of Alliston.

1st Reading

2nd Reading

3rd Reading

MR. JAMIESON

(*Private Bill*)

2ND SESSION, 18TH LEGISLATURE, ONTARIO
21 GEORGE V, 3931

BILL

An Act respecting the Town of Alliston.



MR. JAMIESON

(PRIVATE BILL)

BILL

An Act respecting the Town of Alliston.



Preamble.

WHEREAS the corporation of the town of Alliston has by its petition represented that its by-laws numbers 456, 457 and 466 and the debentures to be issued thereunder should be confirmed and  for special legislation in regard to the other matters hereinafter set forth;  and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title. **1.** This Act may be cited as *The Town of Alliston Act, 1931*.

By-laws
Nos. 456, 457
and 466 and
debentures
confirmed.

2. By-law number 456 of the corporation of the town of Alliston to provide for borrowing \$93,000 upon debentures to pay for the cost of a sewer system for the said town, by-law number 457 of the said corporation to provide for borrowing \$24,000 upon debentures to pay for the cost of a sewage disposal plant for the said town  and by-law number 466 of the said corporation to provide for borrowing \$123,000 upon debentures to pay for the cost of construction of concrete pavements in the said town,  and all debentures issued or to be issued under the authority of said by-laws or *any* of them are confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof.

Rev. Stat.,
c. 235, s. 21,
not to
apply.

3. Notwithstanding the provisions of *The Local Improvement Act*, any contribution in cash or by way of annuity received by the said corporation to be applied towards the cost of the said pavements, or any of them, shall be applied only in respect of the portion of such cost which is to be borne and paid by the said corporation under this Act.

Irregularities
not to
invalidate.

4. No irregularity in the form of any debentures issued or to be issued under the authority of this Act or of any by-law authorizing the issue thereof shall render the same invalid or

illegal or be allowed as a defence to any action brought against the said corporation for the recovery of the said debentures or interest or any part thereof; and the purchaser or holder thereof shall not be bound to enquire as to the necessity of passing such by-law or issuing such debentures or into any of the proceedings in connection therewith or as to the application of the proceeds of such debentures.

Commence-
ment of Act.

5. This Act shall come into force on the day upon which it receives the Royal Assent.

SCHEDULE "A" PAVEMENTS

	Name of Street	From Street	To Street
1	Albert.....	West limit of Church.....	East limit of Paris.
2	Centre.....	North limit of Victoria.....	8' south of the centre line of Dominion.
3	Centre.....	South limit of Victoria.....	South limit of Albert.
4	Church.....	North limit of Victoria.....	8' south of the centre line of Dominion.
5	Church.....	South limit of Victoria.....	South limit of Albert.
6	Dominion.....	10' west of the centre line of Church.....	10' east of the centre line of Centre.
7	Dufferin.....	South limit of Victoria.....	South limit of Albert.
8	Fletcher Crescent.....	26' west of the west limit of Lot No. 5, north side of Fletcher Crescent.....	378' westerly therefrom.
9	McDonald.....	South limit of Victoria.....	South limit of Wellington.
10	Nelson.....	West limit of Paris.....	Canadian National Railway track.
11	Nelson.....	Canadian National Railway track.....	East edge of King Street pavement.
12	Ontario.....	South limit of Victoria.....	South limit of Albert.
13	Paris.....	South limit of Victoria.....	South limit of Albert.
14	Wellington.....	23' west of east limit of King.....	330' east of east line of Centre.
15	Wellington.....	East limit of Dufferin.....	West limit of Lorne.
16	Victoria.....	East limit of Centre.....	Canadian Pacific Railway track.
17	Right-of-way.....	South limit of Fletcher Crescent.....	109' southerly therefrom.

BILL

An Act respecting the Town of Alliston.

1st Reading

February 25th, 1931

2nd Reading

3rd Reading

MR. JAMIESON

*(Reprinted as amended by the Private
Bills Committee)*

2ND SESSION, 18TH LEGISLATURE, ONTARIO
21 GEORGE V, 3931

BILL

An Act respecting the Town of Alliston.

MR. JAMIESON

BILL

An Act respecting the Town of Alliston.

Preamble.

WHEREAS the corporation of the town of Alliston has by its petition represented that its by-laws numbers 456, 457 and 466 and the debentures to be issued thereunder should be confirmed and has prayed for special legislation in regard to the other matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Town of Alliston Act, 1931*.

By-laws
Nos. 456, 457
and 466 and
debentures
confirmed.

2. By-law number 456 of the corporation of the town of Alliston to provide for borrowing \$93,000 upon debentures to pay for the cost of a sewer system for the said town, by-law number 457 of the said corporation to provide for borrowing \$24,000 upon debentures to pay for the cost of a sewage disposal plant for the said town and by-law number 466 of the said corporation to provide for borrowing \$123,000 upon debentures to pay for the cost of construction of concrete pavements in the said town, and all debentures issued or to be issued under the authority of said by-laws or any of them are confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof.

Rev. Stat.,
c. 235, s. 21,
not to
apply.

3. Notwithstanding the provisions of *The Local Improvement Act*, any contribution in cash or by way of annuity received by the said corporation to be applied towards the cost of the said pavements, or any of them, shall be applied only in respect of the portion of such cost which is to be borne and paid by the said corporation under this Act.

Irregularities
not to
invalidate.

4. No irregularity in the form of any debentures issued or to be issued under the authority of this Act or of any by-law authorizing the issue thereof shall render the same invalid or

illegal or be allowed as a defence to any action brought against the said corporation for the recovery of the said debentures or interest or any part thereof; and the purchaser or holder thereof shall not be bound to enquire as to the necessity of passing such by-law or issuing such debentures or into any of the proceedings in connection therewith or as to the application of the proceeds of such debentures.

5. This Act shall come into force on the day upon which it receives the Royal Assent. Commence-
ment of Act.

SCHEDULE "A"

PAVEMENTS

	Name of Street	From Street	To Street
1	Albert.....	West limit of Church.....	East limit of Paris.
2	Centre.....	North limit of Victoria.....	8' south of the centre line of Dominion.
3	Centre.....	South limit of Victoria.....	South limit of Albert.
4	Church.....	North limit of Victoria.....	8' south of the centre line of Dominion.
5	Church.....	South limit of Victoria.....	South limit of Albert.
6	Dominion.....	10' west of the centre line of Church.....	10' east of the centre line of Centre.
7	Dufferin.....	South limit of Victoria.....	South limit of Albert.
8	Fletcher Crescent.....	26' west of the west limit of Lot No. 5, north side of Fletcher Crescent.....	378' westerly therefrom.
9	McDonald.....	South limit of Victoria.....	South limit of Wellington.
10	Nelson.....	West limit of Paris.....	Canadian National Railway track.
11	Nelson.....	Canadian National Railway track.....	East edge of King Street pavement.
12	Ontario.....	South limit of Victoria.....	South limit of Albert.
13	Paris.....	South limit of Victoria.....	South limit of Albert.
14	Wellington.....	23' west of east limit of King.....	330' east of east line of Centre.
15	Wellington.....	East limit of Dufferin.....	West limit of Lorne.
16	Victoria.....	East limit of Centre.....	Canadian Pacific Railway track.
17	Right-of-way.....	South limit of Fletcher Crescent.....	109' southerly therefrom.



BILL

An Act respecting the Town of Alliston.

1st Reading

February 25th, 1931

2nd Reading

March 18th, 1931

3rd Reading

March 23rd, 1931

MR. JAMIESON

No. 35

2ND SESSION, 18TH LEGISLATURE, ONTARIO

21 GEORGE V, 1931

BILL

An Act respecting the City of St. Thomas.

MR. RAVEN

(PRIVATE BILL)

TORONTO

PRINTED BY HERBERT H. BALL

PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

No. 35

1931

BILL

An Act respecting the City of St. Thomas.

Preamble.

WHEREAS the corporation of the city of St. Thomas has by its petition represented it as desirable that the said corporation be authorized to pass by-laws without the assent of the electors for borrowing a sum not exceeding \$10,000 upon debentures to pay the cost of constructing storm sewers and to pass by-laws for borrowing a sum not exceeding \$55,000 upon debentures to pay the cost of certain works and other expenses incurred in respect of the establishment and improvement of the new western entrance to the said city; and whereas the said corporation has further represented by its petition that it desires to place the control, management and operation of its gas plant under a commission of three members; and whereas the said corporation further desires that sales of lands for taxes within the said city be confirmed; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The City of St. Thomas Act, 1931.*

Tax sales
and
conveyances
confirmed.

2. All sales of land within the city of St. Thomas made prior to the 1st day of January, 1930, which purport to have been made by the corporation of the said city or by its treasurer for arrears of taxes in respect to the lands so sold are hereby validated and confirmed and all conveyances of lands so sold, executed by the mayor, treasurer and clerk of the said corporation, purporting to convey the said lands so sold to the purchaser thereof or his heirs, assigns or to the said corporation shall have the effect of vesting the lands so sold or conveyed or purporting to be sold and conveyed in the purchaser thereof or his heirs or assigns and his or their heirs and assigns or in the said corporation and its successors and assigns, as the case may be, in fee simple and clear of

and free from all right, title and interest whatsoever of the owners thereof at the time of such sale or their assigns and all charges and encumbrances thereon and dower therein, except taxes accruing after those for non-payment of which the said lands were sold.

Payment for
special
audits
confirmed.

3. The payment of \$6,369.11 by the council of the said corporation to H. T. Jamieson & Company for certain special audits of and reports upon the affairs of the corporation and of the Board of Education of the said city is hereby authorized, validated and confirmed.

1929,
c. 118, s. 3,
amended.

4. Section 3 of *The City of St. Thomas Act, 1929* (chapter 118), is amended by striking out in the last line thereof the figures "1929" and inserting in lieu thereof the figures "1930."

1922,
c. 129, s. 3,
repealed.

5. Section 3 of *An Act respecting the City of St. Thomas* passed in the twelfth year of the reign of His Majesty King George the Fifth, chaptered 129, is repealed.

Power to
issue
debentures
for storm
sewers.

6. The said corporation may pass a by-law or by-laws to borrow and may borrow a sum not exceeding \$10,000 to pay for the cost of construction of storm sewers, and may issue debentures therefor for any period not exceeding twenty years from the date thereof and bearing interest at such rate as the council of the said corporation may determine.

Power to
issue
debentures
for cost
of new
western
entrance.

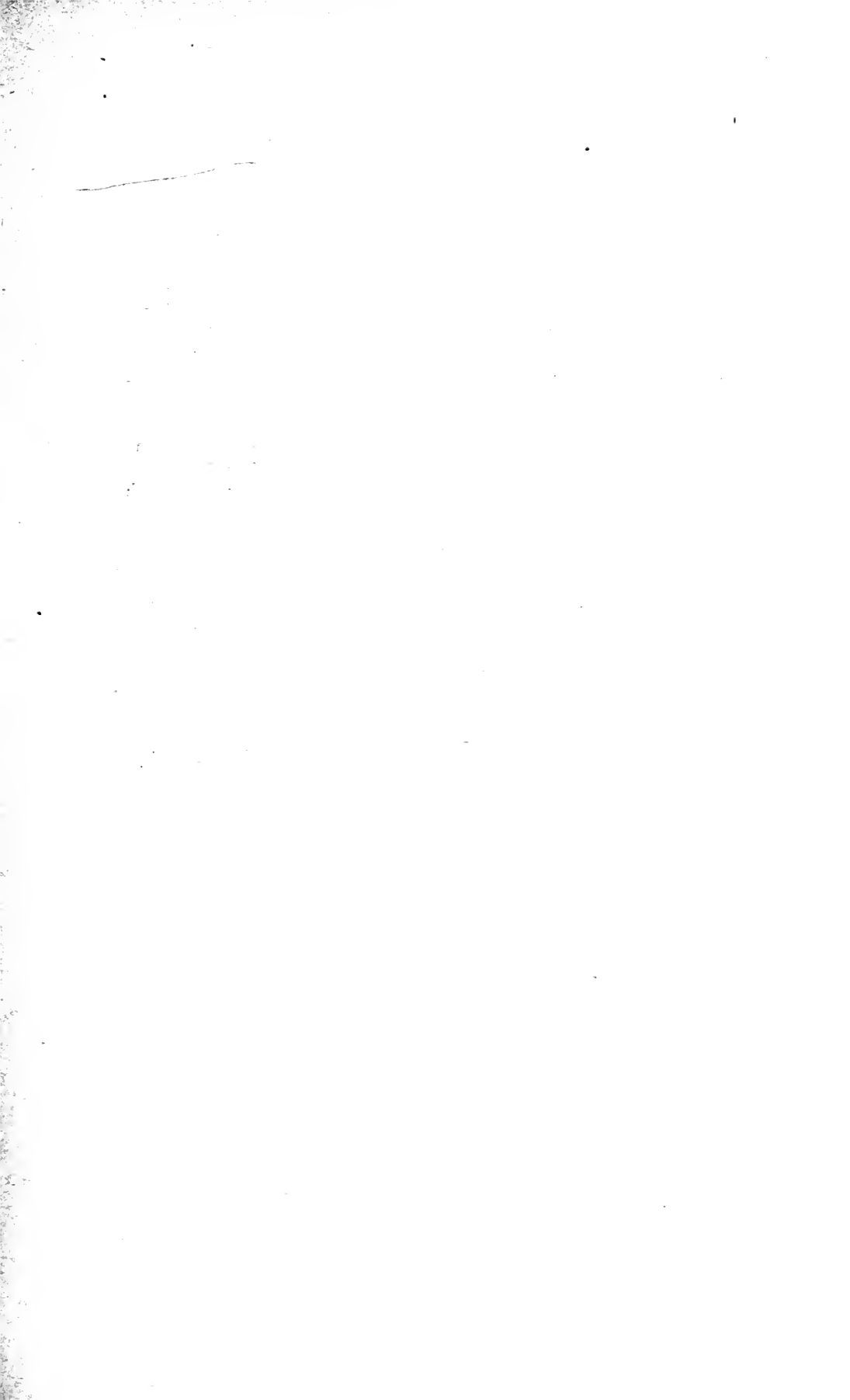
7. The said corporation may pass a by-law or by-laws to borrow and may borrow a sum not exceeding \$55,000 and may issue debentures therefor for any period not exceeding twenty years from the date thereof and bearing interest at such rate as the council of the said corporation may determine for paying the cost of acquiring lands, constructing, paving and curbing the roadway for the new western entrance to the said city, including the cost of all works required to give owners of abutting lands access thereto and all amounts paid or to be paid for land damages and cost of arbitration proceedings arising out of the construction of the said new western entrance.

Rev. Stat.,
c. 233,
formalities
not to
apply.

8. It shall not be necessary for the council of the said corporation to observe, in respect of any of the by-laws mentioned in sections 6 and 7 hereof the formalities prescribed by *The Municipal Act* in relation to the passing of money by-laws.

Irregularities
in
debentures,
etc., not
to affect
validity.

9. Any irregularity in the form of the debentures issued under the authority of this Act or in any by-law authorizing the issue thereof shall not render the same invalid or be allowed as a defence to any action brought against the said corpora-



tion for the recovery of the amount thereof or any part thereof or the interest thereon.

Establishment of a Gas Commission.

10.—(1) The council of the said corporation may by by-law, passed without the assent of the municipal electors, entrust the control, management and operation of the gas plant now owned and operated by the said corporation to a commission to be called "The Gas Commission of the City of St. Thomas" consisting of three members, of whom the mayor of the said corporation shall *ex-officio* be one and the other two shall be appointed by the said council.

Election of commissioners.

(2) The members of the said commission appointed under subsection 1 shall hold office for the year 1931 and until their successors take office but for the year 1932 and thereafter the members of the said commission other than the mayor shall be elected in accordance with the provisions of *The Public Utilities Act*.

Rev. Stat., c. 249.

Public Utilities Act (Rev. Stat., c. 249), to apply.

(3) Subject to the provisions of subsections 1 and 2, the said commission shall be deemed to be a commission established under Part III of *The Public Utilities Act*, and the provisions of the said Act shall apply to it.

Commencement of Act.

11. The provisions of this Act other than section 2 shall come into force on the day upon which it receives the Royal Assent. Section 2 shall come into force on the 1st day of July, 1931.

BILL

An Act respecting the City of St. Thomas.

1st Reading

2nd Reading

3rd Reading

MR. RAVEN

(Private Bill)

No. 35

2ND SESSION, 18TH LEGISLATURE, ONTARIO

21 GEORGE V, 1931

BILL

An Act respecting the City of St. Thomas.

MR. RAVEN

TORONTO

PRINTED BY HERBERT H. BALL

PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

BILL

An Act respecting the City of St. Thomas.

Preamble.

WHEREAS the corporation of the city of St. Thomas has by its petition represented it as desirable that the said corporation be authorized to pass by-laws without the assent of the electors for borrowing a sum not exceeding \$10,000 upon debentures to pay the cost of constructing storm sewers and to pass by-laws for borrowing a sum not exceeding \$55,000 upon debentures to pay the cost of certain works and other expenses incurred in respect of the establishment and improvement of the new western entrance to the said city; and whereas the said corporation has further represented by its petition that it desires to place the control, management and operation of its gas plant under a commission of three members; and whereas the said corporation further desires that sales of lands for taxes within the said city be confirmed; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The City of St. Thomas Act, 1931*.

Tax sales
and
conveyances
confirmed.

2.—(1) All sales of land within the city of St. Thomas made prior to the 31st day of December, 1929, which purport to have been made by the corporation of the said city or by its treasurer for arrears of taxes in respect to the lands so sold are hereby validated and confirmed and all conveyances of lands so sold, executed by the mayor, treasurer and clerk of the said corporation, purporting to convey the said lands so sold to the purchaser thereof or his heirs, assigns or to the said corporation shall have the effect of vesting the lands so sold or conveyed or purporting to be sold and conveyed in the purchaser thereof or his heirs or assigns and his or their heirs and assigns or in the said corporation and its successors and assigns, as the case may be, in fee simple and clear of

and free from all right, title and interest whatsoever of the owners thereof at the time of such sale or their assigns and all charges and encumbrances thereon and dower therein, except taxes accruing after those for non-payment of which the said lands were sold.

(2) Nothing in this section contained shall affect or prejudice the rights of any person under any action, litigation or other proceedings now pending, but the same may be proceeded with and finally adjudicated upon in the same manner and as fully and effectually as if this Act had not been passed.

Pending litigation not affected.

3. The payment of \$6,369.11 by the council of the said corporation to H. T. Jamieson & Company for certain special audits of and reports upon the affairs of the corporation and of the Board of Education of the said city is hereby authorized, validated and confirmed.

Payment for special audits confirmed

4. Section 3 of *The City of St. Thomas Act, 1929* (chapter 118), is amended by striking out in the last line thereof the figures "1929" and inserting in lieu thereof the figures "1930."

1929, c. 118, s. 3, amended.

5. Section 3 of *An Act respecting the City of St. Thomas* passed in the twelfth year of the reign of His Majesty King George the Fifth, chaptered 129, is repealed.

1922, c. 129, s. 3, repealed.

6. The said corporation may pass a by-law or by-laws to borrow and may borrow a sum not exceeding \$10,000 to pay for the cost of construction of storm sewers, and may issue debentures therefor for any period not exceeding twenty years from the date thereof and bearing interest at such rate as the council of the said corporation may determine.

Power to issue debentures for storm sewers.

7. The said corporation may pass a by-law or by-laws to borrow and may borrow a sum not exceeding \$55,000 and may issue debentures therefor for any period not exceeding twenty years from the date thereof and bearing interest at such rate as the council of the said corporation may determine for paying the cost heretofore or hereafter incurred of acquiring lands, constructing, paving and curbing the roadway for the new western entrance to the said city, including the cost heretofore or hereafter incurred of all works required to give owners of abutting lands access thereto and all amounts paid or to be paid for land damages and cost of arbitration proceedings heretofore or hereafter arising out of the construction of the said new western entrance.

Power to issue debentures for cost of new western entrance.

8. It shall not be necessary for the council of the said corporation to observe, in respect of any of the by-laws mentioned in sections 6 and 7 hereof, the formalities prescribed by *The Municipal Act* in relation to the passing of money by-laws.

Rev. Stat., c. 233, formalities not to apply.

Irregularities
in
debentures,
etc., not
to affect
validity.

9. Any irregularity in the form of the debentures issued under the authority of this Act or in any by-law authorizing the issue thereof shall not render the same invalid or be allowed as a defence to any action brought against the said corporation for the recovery of the amount thereof or any part thereof or the interest thereon.

Establish-
ment of a
Gas Com-
mission.

10.—(1) The council of the said corporation may by by-law, passed without the assent of the municipal electors, entrust the control, management and operation of the gas plant now owned and operated by the said corporation to a commission to be called "The Gas Commission of the City of St. Thomas" consisting of three members, of whom the mayor of the said corporation shall *ex-officio* be one and the other two shall be appointed by the said council.

Election of
commis-
sioners.

(2) The members of the said commission appointed under subsection 1 shall hold office for the year 1931 and until their successors take office but for the year 1932 and thereafter the members of the said commission other than the mayor shall be elected in accordance with the provisions of *The Public Utilities Act*.

Rev. Stat.,
c. 249.

Public
Utilities Act
(Rev. Stat.,
c. 249), to
apply.

(3) Subject to the provisions of subsections 1 and 2, the said commission shall be deemed to be a commission established under Part III of *The Public Utilities Act*, and the provisions of the said Act shall apply to it.

Commence-
ment of Act.

11. The provisions of this Act other than section 2 shall come into force on the day upon which it receives the Royal Assent. Section 2 shall come into force on the 1st day of July, 1931.

BILL

An Act respecting the City of St. Thomas.

1st Reading

February 25th, 1931

2nd Reading

March 4th, 1931

3rd Reading

March 13th, 1931

MR. RAVEN

No. 36

2ND SESSION, 18TH LEGISLATURE, ONTARIO
21 GEORGE V, 1931

BILL

An Act respecting the Town of Brampton.

MR. CASE

(PRIVATE BILL)

TORONTO
PRINTED BY HERBERT H. BALL
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

No. 36

1931

BILL

An Act respecting the Town of Brampton.

Preamble.

WHEREAS the corporation of the town of Brampton and the United Suburban Gas Company, Limited, have by petition represented that the by-law set forth in schedule "A" to this Act was submitted to the electors of the said town on the 1st day of December, 1930, when 507 electors voted for the said by-law and 168 against it, and the said corporation and company have by their petition prayed that an Act may be passed to confirm the said by-law; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Town of Brampton Act, 1931*.

By-law
No. 954
for gas
franchise
confirmed.

2. By-law number 954 passed by the council of the corporation of the town of Brampton as set forth in schedule "A" to this Act, being a by-law granting to United Suburban Gas Company, Limited, and its assigns an exclusive franchise for thirty years from January 12th, 1931, to supply gas and to make use of the highways in the said town for such purpose is hereby confirmed and declared to be legal, valid and binding on the said corporation and the ratepayers thereof.

Power
to make
agreements
with gas
company.

3. The said corporation may enter into such agreements with United Suburban Gas Company, Limited, and its assigns, as may be necessary for the purpose of carrying out the provisions of the said by-law.

Mains, pipes,
etc., to
become
property of
municipality
if not
removed.

4. If the company referred to in the said by-law or its successors or assigns shall not remove all its mains, pipes, plant and works laid out in the highways in the said town as set out in the said by-law within one year after the expiration of the said period of thirty years or within one year after the expiration of any subsequent period or periods during which the said company or its successors or assigns shall be author-

ized to retain and use the same, the said mains, pipes, plant and works, or so much thereof as shall not have been so removed, shall become the property of the corporation.

Commence-
ment of Act. 5. This Act shall come into force on the day upon which it receives the Royal Assent.

SCHEDULE "A"

BY-LAW NO. 954 OF THE CORPORATION OF THE TOWN OF BRAMPTON

The Council of the Town of Brampton enacts as follows:—

1. The consent, permission and authority of the Corporation of the Town of Brampton (hereinafter referred to as the Corporation) are hereby given and an exclusive franchise for a period of thirty years from and after the final passing of this by-law, is hereby granted to United Suburban Gas Company Limited (hereinafter referred to as the Company) which expression where the context admits, shall include its successors and assigns) to conduct, distribute and supply gas in the Town of Brampton and for such purpose to enter upon all streets and public squares, and all lanes and other public places, now or at any other time hereafter within the jurisdiction of the Council, to dig trenches and lay and bury therein, and to maintain, operate and repair mains and pipes of such sizes as the said Company may require for the exclusive transportation and distribution and supply of gas in the said Town of Brampton during the period of thirty years aforesaid for fuel and lighting purposes, together with the right to construct and maintain and repair under the surface of such streets and public squares, lanes and public places, all necessary regulators, valves, curb boxes, safety appliances and other appurtenances that may be necessary in connection with the transportation and distribution and supply of gas. It being the intention of the parties hereto that the Company shall not be subject to competition in its business of distributing and supplying gas in the said Town of Brampton and the said Corporation shall not grant any right, privilege or franchise to any other company, person or individual to distribute or supply gas within the limits of the said Town of Brampton during the period of thirty years mentioned aforesaid.

2. The Company shall well and sufficiently restore forthwith to as good a condition as they were in before, all streets and public squares, and all lanes and public places, which it may excavate or interfere with in the course of the construction or repairing or removal of its gas mains, pipes, regulators, valves, curb boxes, safety appliances and other appurtenances necessary for the transportation and distribution and supply of gas, and shall make good any subsidence thereafter caused by any such excavation, and well and sufficiently indemnify the Corporation against all expenses, damages and costs it may from time to time incur, or be put to by reason of the construction, repair or removal, maintenance or operation of said gas mains, pipes, regulators, valves, curb boxes, safety appliances and other appurtenances necessary for the transportation and distribution and supply of gas; and in the event of the Company failing at any time to do any work required by this section, the Corporation may forthwith do such work and charge the cost thereof to the Company, which shall pay the same on demand.

3. No excavation or opening or work which may disturb or interfere with the surface or condition of any street or public square or lane or public place shall be made or done unless a permit therefor shall have been granted by the Town Engineer, and all such work shall be done under his supervision, and to his satisfaction, and in cases where an inspector on behalf of the Corporation, is considered necessary by him, the wages of such inspector shall be paid by the Company.

The location of all pipes, or works on streets and public squares and lanes and public places, shall be subject to the direction and approval of the said Engineer.

4. The Company, before beginning any work in the said Town of Brampton under this By-law shall file with the said Engineer a plan drawn to a scale, showing the streets and public squares, and lanes and public places, in which it proposes to lay mains, pipes and construct work, and the particular parts thereof, or proposes to occupy for each of such purposes, together with definite written specifications of the mains, pipes and works proposed to be laid or constructed by it, specifying the materials and dimensions of such pipes and the depth at which such mains, pipes

and works are to be laid, and similar plans and specifications shall be filed with the said Engineer of all extensions of or additions to such mains, pipes or works before any such extension or addition shall be begun.

5. All rights now used in connection with the supplying of public services are to be in no way affected or impaired by any privilege hereby granted to the Company and the mains, pipes and works of the Company must be laid, constructed and maintained without interference therewith, and subject to the rights hereby conferred upon the Company the Corporation expressly reserves the right hereafter to lay down, or to permit to be laid down in the said streets and public squares, lanes and public places, now or hereafter within the jurisdiction of the Council, sewers, culverts, drains, water pipes and conduits and other plants and equipment of the Corporation used in connection with the supplying of public services, and to alter, improve and repair said streets and public squares, lanes and public places whenever the Corporation shall deem that the same is necessary or desirable.

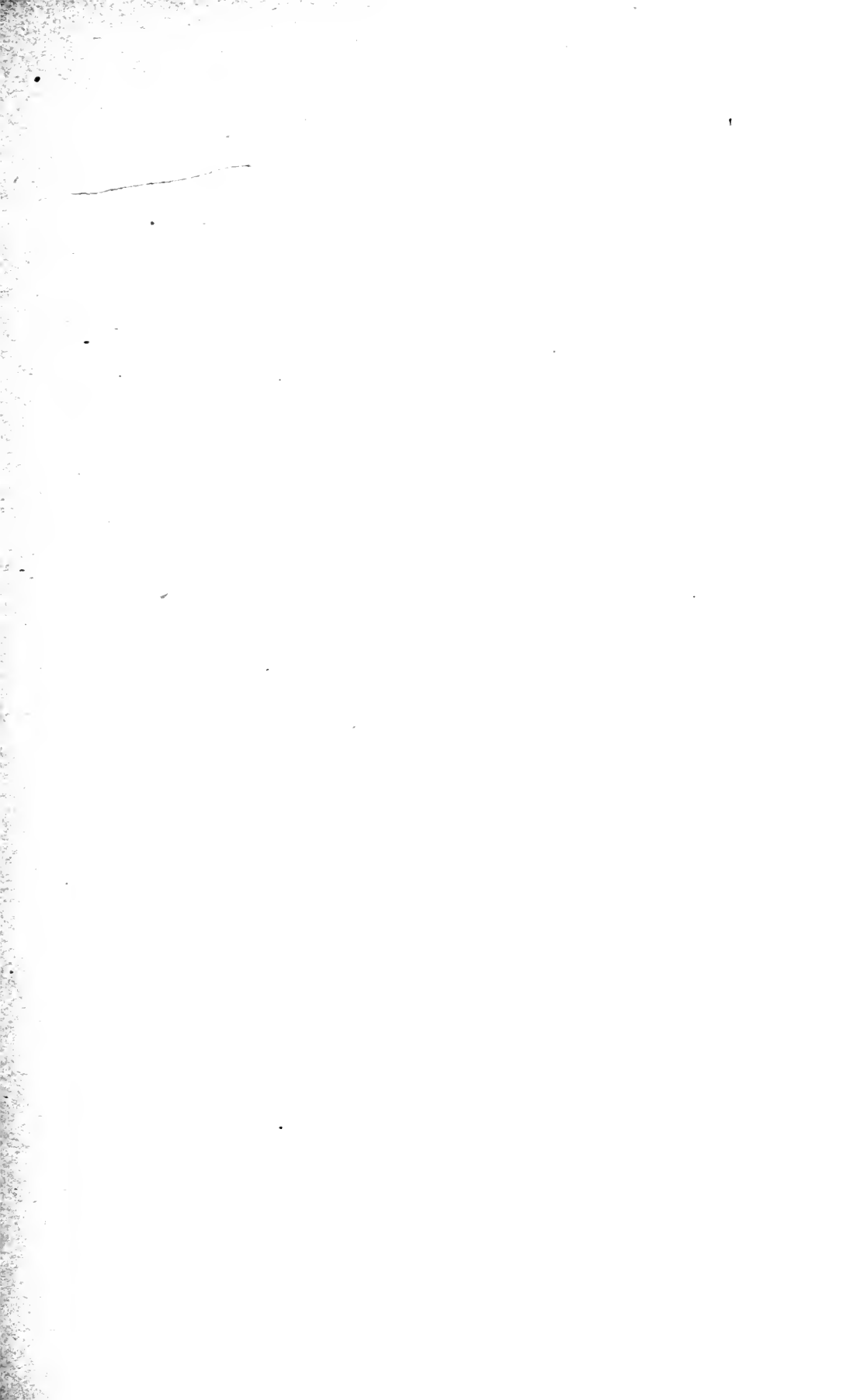
6. The Company shall make good to the Corporation all damage or loss which may be caused to any water pipe, roadway, pavement or other property of the Corporation, by the works or operations of the Company or by the escape or leakage of gas and all expenses incurred by the Corporation by reason of such works or operations, or by any escape or leakage of gas, and the Company shall indemnify and save harmless the Corporation against all claims made for damages or loss, and against all damages, costs and expenses which may at any time be suffered, paid or incurred by reason of the exercise by the Company of the powers and privileges hereby granted.

7. The Company shall use at all times all proper and practicable means to prevent the escape or leakage of gas from its mains and pipes and the causing of damage or injury therefrom, to any person or property.

8. The Company shall render its accounts monthly and shall not charge the Corporation or consumers within the limits of the said municipality more than One Dollar and Five Cents (\$1.05) per thousand cubic feet of gas, subject always to a discount of Five Cents (.05) per thousand cubic feet on all bills paid within fourteen days after presentation thereof.

- (a) The Company shall also be entitled to charge One Dollar (\$1.00) for each meter or regulator re-set at the request of the customer.
- (b) In addition to the charges aforesaid the said Company shall be entitled to charge each customer a service charge of Fifty Cents (.50) per month for each meter from the date the said meter is installed until notice is received by the said Company to remove the same. Meters shall be furnished by the Company to all consumers of its gas.
- (c) No charge shall be made by the Company for any supply pipe from the main to the limit of the street in which such main has been laid but the Company shall be entitled to make a charge for the installation of the supply pipe from the line of the street in which the main has been laid, to the building, house or other erection to which gas is to be supplied, at the point where the meter of the Company is installed.
- (d) Nothing herein contained shall prevent the Company from charging consumers who use gas for industrial or heating purposes or for other purposes requiring large amounts such special rates lower than those charged to other consumers as the Company may deem advisable.

9. The Company shall supply gas at prices not greater than the prices hereinbefore mentioned, to the Corporation, and to all inhabitants of the said municipality occupying property adjoining those parts of streets, public squares, lanes and public places under which mains of the Company have been laid and are in operation, who desire to be supplied and who execute and deliver to the Company contracts to pay the rates aforesaid, and to be bound by the Company's general rules and regulations; which



rules and regulations shall not be inconsistent herewith; the Company to have the right to cease to supply any such customer during any time when he shall be in arrears in respect of the Company's charges as authorized under this By-law. If any such applicant shall not be the owner of the premises for which the supply of gas is desired, the Company may require the applicant to furnish adequate security for the payment by him of the Company's charges, such security to be by guarantee bond or cash deposit, which in the opinion of the Company shall be adequate security for the payment by the applicant of the Company's charges.

10. The Company shall pay the costs, charges and expenses of the Corporation and of its solicitor of and incidental to the preparation and passing of this By-law, and of the submission thereof for the assent of the electors of the Town of Brampton.

11. In the event of the Company being prevented from carrying out its obligations under this By-law, by reason of any cause beyond its control, the Company shall be relieved from such obligation while such disability continues, and in the event of a dispute as to the existence of such disability the Ontario Railway and Municipal Board shall decide whether such disability actually exists.

12. In case either party deems it necessary or advisable to obtain ratifications of this By-law by the Legislature of the Province of Ontario, the other party will concur and assist in obtaining such ratification.

13. If the Company shall at any time for a period of two months cease or fail to supply gas to the consumers in the Town of Brampton in accordance with the terms of this By-law, the Council may by By-law terminate the rights and privileges granted hereby, and the Company thereafter shall have the right (but shall not be required) to remove all its mains, pipes, plant and works laid in the streets, public squares, lanes and public places of the said municipality by the Company; and in the event of same not being removed in one year from such termination the same, or so much thereof as shall not have been removed shall become the property of the said Corporation.

14. Upon the expiration of the said period of thirty years the Company shall have the right, (but nothing herein contained shall require it), to remove its mains, pipes, plant and works laid in the streets and public squares, lanes and public places and for such purpose shall have one year to effect the removal of the same; provided, however, that nothing herein contained shall prevent the Corporation and the Company from entering into a new arrangement for the continued supply of gas.

15. The rights, powers and privileges of the Company hereunder shall be deemed to be in addition to any other rights, powers and privileges conferred upon it by any statute or other lawful enactment of any duly constituted authority.

16. This By-law and the rights, powers, privileges and franchises hereby granted shall not take effect and be binding upon the Corporation unless within eight months after the final passing hereof, the Company, or (in the event of the said rights, powers, privileges and franchises having been assigned in the meantime as hereinafter provided to some other person or company) the assignee of the Company shall execute and deliver to the Corporation a covenant duly executed by the Company or its assignee under seal to perform, observe and comply with all the agreements, obligations, terms and conditions herein contained. An agreement between the Corporation and the Company, or its assignee, as the case may be, embodying all the terms, conditions and provisions of this By-law (except of this paragraph) shall thereupon be prepared and executed by the parties thereto, and the Mayor and Clerk of the Corporation are hereby authorized to execute the said agreement on behalf of the Corporation, and to affix the seal of the Corporation thereto.

17. The rights, powers, privileges and franchises granted to the Company by this By-law and/or the last mentioned agreement, may be assigned to any person or company upon such person or company executing and

delivering to the Corporation a covenant under seal legally binding such person or company to perform, observe and comply with all the agreements, obligations, terms and conditions herein contained.

18. This By-law shall not come into force, or take effect until it has been assented to by the municipal electors as provided by *The Municipal Act* with respect to by-laws requiring the assent of the electors.

19. The franchise hereby granted shall cease to exist and no longer be binding upon the Corporation unless the Company, or its assignee, shall be ready to supply gas to the citizens of the Town of Brampton within ten months from the date of the passing hereof.

20. In this By-law the Town of Brampton shall mean the area comprised within the present municipal boundaries of the said Town and all such additional area as hereafter may from time to time be annexed thereto from the date of each additional annexation.

By-law passed this 12th day of January, 1931.

(Sgd.) GEO. AKEHURST,
Mayor.

(Sgd.) C. M. CORKETT,
Clerk.

BILL

An Act respecting the Town of Brampton
and the United Suburban Gas
Company, Limited

1st Reading

2nd Reading

3rd Reading

MR. CASE

(*Private Bill*)

No. 36

2ND SESSION, 18TH LEGISLATURE, ONTARIO
21 GEORGE V, 1931

BILL

An Act respecting the Town of Brampton.

MR. CASE

TORONTO
PRINTED BY HERBERT H. BALL
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

No. 36

1931

BILL

An Act respecting the Town of Brampton.

Preamble.

WHEREAS the corporation of the town of Brampton and the United Suburban Gas Company, Limited, have by petition represented that the by-law set forth in schedule "A" to this Act was submitted to the electors of the said town on the 1st day of December, 1930, when 507 electors voted for the said by-law and 168 against it, and the said corporation and company have by their petition prayed that an Act may be passed to confirm the said by-law; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Town of Brampton Act, 1931*.

By-law
No. 954
for gas
franchise
confirmed.

2. By-law number 954 passed by the council of the corporation of the town of Brampton as set forth in schedule "A" to this Act, being a by-law granting to United Suburban Gas Company, Limited, and its assigns an exclusive franchise for thirty years from January 12th, 1931, to supply gas and to make use of the highways in the said town for such purpose is hereby confirmed and declared to be legal, valid and binding on the said corporation and the ratepayers thereof.

Power
to make
agreements
with gas
company.

3. The said corporation may enter into such agreements with United Suburban Gas Company, Limited, and its assigns, as may be necessary for the purpose of carrying out the provisions of the said by-law.

Mains, pipes,
etc., to
become
property of
municipality
if not
removed.

4. If the company referred to in the said by-law or its successors or assigns shall not remove all its mains, pipes, plant and works laid out in the highways in the said town as set out in the said by-law within one year after the expiration of the said period of thirty years or within one year after the expiration of any period or periods during which the said company or its successors or assigns shall be authorized to

retain and use the same, the said mains, pipes, plant and works, or so much thereof as shall not have been so removed, shall become the property of the corporation.

5. This Act shall come into force on the day upon which ^{Commence-}
it receives the Royal Assent. ^{ment of Act.}

SCHEDULE "A"

BY-LAW No. 954 OF THE CORPORATION OF THE TOWN OF BRAMPTON

The Council of the Town of Brampton enacts as follows:—

1. The consent, permission and authority of the Corporation of the Town of Brampton (hereinafter referred to as the Corporation) are hereby given and an exclusive franchise for a period of thirty years from and after the final passing of this by-law, is hereby granted to United Suburban Gas Company Limited (hereinafter referred to as the Company) which expression where the context admits, shall include its successors and assigns) to conduct, distribute and supply gas in the Town of Brampton and for such purpose to enter upon all streets and public squares, and all lanes and other public places, now or at any other time hereafter within the jurisdiction of the Council, to dig trenches and lay and bury therein, and to maintain, operate and repair mains and pipes of such sizes as the said Company may require for the exclusive transportation and distribution and supply of gas in the said Town of Brampton during the period of thirty years aforesaid for fuel and lighting purposes, together with the right to construct and maintain and repair under the surface of such streets and public squares, lanes and public places, all necessary regulators, valves, curb boxes, safety appliances and other appurtenances that may be necessary in connection with the transportation and distribution and supply of gas. It being the intention of the parties hereto that the Company shall not be subject to competition in its business of distributing and supplying gas in the said Town of Brampton and the said Corporation shall not grant any right, privilege or franchise to any other company, person or individual to distribute or supply gas within the limits of the said Town of Brampton during the period of thirty years mentioned aforesaid.

2. The Company shall well and sufficiently restore forthwith to as good a condition as they were in before, all streets and public squares, and all lanes and public places, which it may excavate or interfere with in the course of the construction or repairing or removal of its gas mains, pipes, regulators, valves, curb boxes, safety appliances and other appurtenances necessary for the transportation and distribution and supply of gas, and shall make good any subsidence thereafter caused by any such excavation, and well and sufficiently indemnify the Corporation against all expenses, damages and costs it may from time to time incur, or be put to by reason of the construction, repair or removal, maintenance or operation of said gas mains, pipes, regulators, valves, curb boxes, safety appliances and other appurtenances necessary for the transportation and distribution and supply of gas; and in the event of the Company failing at any time to do any work required by this section, the Corporation may forthwith do such work and charge the cost thereof to the Company, which shall pay the same on demand.

3. No excavation or opening or work which may disturb or interfere with the surface or condition of any street or public square or lane or public place shall be made or done unless a permit therefor shall have been granted by the Town Engineer, and all such work shall be done under his supervision, and to his satisfaction, and in cases where an inspector on behalf of the Corporation, is considered necessary by him, the wages of such inspector shall be paid by the Company.

The location of all pipes, or works on streets and public squares and lanes and public places, shall be subject to the direction and approval of the said Engineer.

4. The Company, before beginning any work in the said Town of Brampton under this By-law shall file with the said Engineer a plan drawn to a scale, showing the streets and public squares, and lanes and public places, in which it proposes to lay mains, pipes and construct work, and the particular parts thereof, or proposes to occupy for each of such purposes, together with definite written specifications of the mains, pipes and works proposed to be laid or constructed by it, specifying the materials and dimensions of such pipes and the depth at which such mains, pipes

and works are to be laid, and similar plans and specifications shall be filed with the said Engineer of all extensions of or additions to such mains, pipes or works before any such extension or addition shall be begun.

5. All rights now used in connection with the supplying of public services are to be in no way affected or impaired by any privilege hereby granted to the Company and the mains, pipes and works of the Company must be laid, constructed and maintained without interference therewith, and subject to the rights hereby conferred upon the Company the Corporation expressly reserves the right hereafter to lay down, or to permit to be laid down in the said streets and public squares, lanes and public places, now or hereafter within the jurisdiction of the Council, sewers, culverts, drains, water pipes and conduits and other plants and equipment of the Corporation used in connection with the supplying of public services, and to alter, improve and repair said streets and public squares, lanes and public places whenever the Corporation shall deem that the same is necessary or desirable.

6. The Company shall make good to the Corporation all damage or loss which may be caused to any water pipe, roadway, pavement or other property of the Corporation, by the works or operations of the Company or by the escape or leakage of gas and all expenses incurred by the Corporation by reason of such works or operations, or by any escape or leakage of gas, and the Company shall indemnify and save harmless the Corporation against all claims made for damages or loss, and against all damages, costs and expenses which may at any time be suffered, paid or incurred by reason of the exercise by the Company of the powers and privileges hereby granted.

7. The Company shall use at all times all proper and practicable means to prevent the escape or leakage of gas from its mains and pipes and the causing of damage or injury therefrom, to any person or property.

8. The Company shall render its accounts monthly and shall not charge the Corporation or consumers within the limits of the said municipality more than One Dollar and Five Cents (\$1.05) per thousand cubic feet of gas, subject always to a discount of Five Cents (.05) per thousand cubic feet on all bills paid within fourteen days after presentation thereof.

- (a) The Company shall also be entitled to charge One Dollar (\$1.00) for each meter or regulator re-set at the request of the customer.
- (b) In addition to the charges aforesaid the said Company shall be entitled to charge each customer a service charge of Fifty Cents (.50) per month for each meter from the date the said meter is installed until notice is received by the said Company to remove the same. Meters shall be furnished by the Company to all consumers of its gas.
- (c) No charge shall be made by the Company for any supply pipe from the main to the limit of the street in which such main has been laid, but the Company shall be entitled to make a charge for the installation of the supply pipe from the line of the street in which the main has been laid, to the building, house or other erection to which gas is to be supplied, at the point where the meter of the Company is installed.
- (d) Nothing herein contained shall prevent the Company from charging consumers who use gas for industrial or heating purposes or for other purposes requiring large amounts such special rates lower than those charged to other consumers as the Company may deem advisable.

9. The Company shall supply gas at prices not greater than the prices hereinbefore mentioned, to the Corporation, and to all inhabitants of the said municipality occupying property adjoining those parts of streets, public squares, lanes and public places under which mains of the Company have been laid and are in operation, who desire to be supplied and who execute and deliver to the Company contracts to pay the rates aforesaid, and to be bound by the Company's general rules and regulations; which

rules and regulations shall not be inconsistent herewith; the Company to have the right to cease to supply any such customer during any time when he shall be in arrears in respect of the Company's charges as authorized under this By-law. If any such applicant shall not be the owner of the premises for which the supply of gas is desired, the Company may require the applicant to furnish adequate security for the payment by him of the Company's charges, such security to be by guarantee bond or cash deposit, which in the opinion of the Company shall be adequate security for the payment by the applicant of the Company's charges.

10. The Company shall pay the costs, charges and expenses of the Corporation and of its solicitor of and incidental to the preparation and passing of this By-law, and of the submission thereof for the assent of the electors of the Town of Brampton.

11. In the event of the Company being prevented from carrying out its obligations under this By-law, by reason of any cause beyond its control, the Company shall be relieved from such obligation while such disability continues, and in the event of a dispute as to the existence of such disability the Ontario Railway and Municipal Board shall decide whether such disability actually exists.

12. In case either party deems it necessary or advisable to obtain ratifications of this By-law by the Legislature of the Province of Ontario, the other party will concur and assist in obtaining such ratification.

13. If the Company shall at any time for a period of two months cease or fail to supply gas to the consumers in the Town of Brampton in accordance with the terms of this By-law, the Council may by By-law terminate the rights and privileges granted hereby, and the Company thereafter shall have the right (but shall not be required) to remove all its mains, pipes, plant and works laid in the streets, public squares, lanes and public places of the said municipality by the Company; and in the event of same not being removed in one year from such termination the same, or so much thereof as shall not have been removed shall become the property of the said Corporation.

14. Upon the expiration of the said period of thirty years the Company shall have the right, (but nothing herein contained shall require it), to remove its mains, pipes, plant and works laid in the streets and public squares, lanes and public places and for such purpose shall have one year to effect the removal of the same; provided, however, that nothing herein contained shall prevent the Corporation and the Company from entering into a new arrangement for the continued supply of gas.

15. The rights, powers and privileges of the Company hereunder shall be deemed to be in addition to any other rights, powers and privileges conferred upon it by any statute or other lawful enactment of any duly constituted authority.

16. This By-law and the rights, powers, privileges and franchises hereby granted shall not take effect and be binding upon the Corporation unless within eight months after the final passing hereof, the Company, or (in the event of the said rights, powers, privileges and franchises having been assigned in the meantime as hereinafter provided to some other person or company) the assignee of the Company shall execute and deliver to the Corporation a covenant duly executed by the Company or its assignee under seal to perform, observe and comply with all the agreements, obligations, terms and conditions herein contained. An agreement between the Corporation and the Company, or its assignee, as the case may be, embodying all the terms, conditions and provisions of this By-law (except of this paragraph) shall thereupon be prepared and executed by the parties thereto, and the Mayor and Clerk of the Corporation are hereby authorized to execute the said agreement on behalf of the Corporation, and to affix the seal of the Corporation thereto.

17. The rights, powers, privileges and franchises granted to the Company by this By-law and/or the last mentioned agreement, may be assigned to any person or company upon such person or company executing and

delivering to the Corporation a covenant under seal legally binding such person or company to perform, observe and comply with all the agreements, obligations, terms and conditions herein contained.

18. This By-law shall not come into force, or take effect until it has been assented to by the municipal electors as provided by *The Municipal Act* with respect to by-laws requiring the assent of the electors.

19. The franchise hereby granted shall cease to exist and no longer be binding upon the Corporation unless the Company, or its assignee, shall be ready to supply gas to the citizens of the Town of Brampton within ten months from the date of the passing hereof.

20. In this By-law the Town of Brampton shall mean the area comprised within the present municipal boundaries of the said Town and all such additional area as hereafter may from time to time be annexed thereto from the date of each additional annexation.

By-law passed this 12th day of January, 1931.

(Sgd.) GEO. AKEHURST,
Mayor.

(Sgd.) C. M. CORKETT,
Clerk.

BILL

An Act respecting the Town of Brampton
and the United Suburban Gas
Company, Limited

1st Reading

March 10th, 1931

2nd Reading

March 18th, 1931

3rd Reading

March 23rd, 1931

MR. CASE

2ND SESSION, 18TH LEGISLATURE, ONTARIO

21 GEORGE V, 1931

BILL

An Act respecting the Township of Scarborough.

MR. CASE

(PRIVATE BILL)

TORONTO

PRINTED BY HERBERT H. BALL

PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

No. 37

1931

BILL

An Act respecting the Township of Scarborough.

Preamble.

WHEREAS the corporation of the township of Scarborough has by a petition prayed for special legislation in regard to the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Township of Scarborough Act, 1931*.

Tax sales
and
conveyances
confirmed.

2.—(1) All sales of land within the said township made prior to the 31st day of December, 1928, which purport to have been made by the said corporation or its treasurer for arrears of taxes in respect to lands so sold, are hereby validated and confirmed, and all conveyances of lands so sold executed by the reeve and treasurer of the said corporation purporting to convey the said lands so sold to the purchaser thereof or his heirs or assigns or to the said corporation are hereby validated and confirmed and shall have the effect of vesting the lands so sold in the purchaser or his heirs or assigns, and his or their heirs and assigns or in the said corporation and its successors and assigns, as the case may be, in fee simple, free and clear of and from all right, title and interest whatsoever of the owners thereof at the time of such sale, or their assigns, and all charges and encumbrances thereon and dower therein, except taxes accruing after those for non-payment of which the said lands were sold.

Pending
litigation.

(2) Nothing in this section contained shall affect any action or other proceeding now pending, and such action or other proceeding may be proceeded with and finally adjudicated upon in the same manner and as fully and effectually as if this Act had not been passed.

Rev. Stat.,
c. 233,
s. 306, not
to apply
to certain
rates.

3. All rates heretofore or hereafter levied pursuant to the provisions of sections 2, 8 and 13 of *The Township of Scar-*

borough Act, 1923 (chapter 88) and any amendment thereto shall be deemed to be local improvement rates for the purposes of section 306 of *The Municipal Act* and no rate heretofore or hereafter levied by the council of the said corporation pursuant to said sections 2, 8 and 13 shall be deemed to be included in the rate of two and a half cents in the dollar referred to in said section 306 for the purpose of determining whether the said council may contract any further debts; and any debt may be contracted by the said council pursuant to said sections 2, 8 and 13, notwithstanding the limitations prescribed by said section 306 of *The Municipal Act*.

Commence-
ment of Act.

4. This Act shall come into force on the day upon which it receives the Royal Assent.

BILL

An Act respecting the Township of
Scarborough.

1st Reading

2nd Reading

3rd Reading

MR. CASE

(*Private Bill*)

No. 37

2ND SESSION, 18TH LEGISLATURE, ONTARIO
21 GEORGE V, 1931

BILL

An Act respecting the Township of Scarborough.

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Pending
litigation.

(2) Nothing in this section contained shall affect any action or other proceeding now pending, and such action or other proceeding may be proceeded with and finally adjudicated upon in the same manner and as fully and effectually as if this Act had not been passed.

Rev. Stat.,
c. 233,
s. 306, not
to apply
to certain
rates.

3. All rates heretofore or hereafter levied pursuant to the provisions of sections 2 to 13 of *The Township of Scarborough*

Act, 1923 (chapter 88) and any amendment thereto shall be deemed to be local improvement rates for the purposes of section 306 of *The Municipal Act* and no rate heretofore or hereafter levied by the council of the said corporation pursuant to said sections 2 to 13 shall be deemed to be included in the rate of two and a half cents in the dollar referred to in said section 306 for the purpose of determining whether the said council may contract any further debts; and any debt may be contracted by the said council pursuant to said sections 2 to 13, notwithstanding the limitations prescribed by said section 306 of *The Municipal Act*.

4. This Act shall come into force on the day upon which ^{Commence-}
it receives the Royal Assent. _{ment of Act.}

An Act respecting the Township of
Scarborough.

1st Reading

March 10th, 1931

2nd Reading

March 18th, 1931

3rd Reading

March 23rd, 1931

MR. CASE

No. 38

2ND SESSION, 18TH LEGISLATURE, ONTARIO
21 GEORGE V, 1931

BILL

An Act respecting the Village of Fort Erie.

MR. WILLSON (Niagara Falls)

(PRIVATE BILL)

BILL

An Act respecting the Village of Fort Erie.

Preamble.

WHEREAS the corporation of the village of Fort Erie has by its petition prayed for special legislation in respect to the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Village of Fort Erie Act, 1931.*

By-laws
Nos. 729 and
730 and
debentures
confirmed.

2. By-law number 729 of the corporation of the village of Fort Erie authorizing the borrowing of \$37,614 by the issue of debentures to pay for the construction of a relief sewer on Niagara Street from Gilmore Road to the centre line of Bridge Street in Bridgeburg, and by-law number 730 of the said corporation authorizing the construction of the said relief sewer and all debentures issued or to be issued under said by-law number 729 are hereby confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof.

1927, c. 110,
s. 10
repealed.

3. Section 10 of *The Village of Fort Erie Act, 1927* is repealed.

By-laws
Nos. 571 and
573 and
debentures,
etc.,
confirmed.

4.—(1) By-laws numbers 571 and 573 of the said corporation passed respectively on the 15th day of December, 1924 and the 3rd day of March, 1925, authorizing the issue of debentures to pay for the cost of certain works undertaken or purporting to have been undertaken under *The Local Improvement Act* and the said debentures and the special assessment rolls made with respect to the said works and the respective special rates imposed and levied or to be levied under the authority of said by-laws are confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof.

Rev. Stat.
c. 235.

Corporation
assumes
part of
assessments
for Niagara
St. sewer.

(2) Notwithstanding the provisions of subsection 1 and of said by-law number 571, the said corporation shall, commencing with the year 1931, assume and pay the special assessments charged for the sewer on Niagara Street in the said village mentioned in said by-law against those lots fronting or abutting upon the said sewer which are situate on the east side of said street between Queen Street and the north limit of Block A according to plan 453.

By-law No.
703
confirmed.

5. By-law number 703 of the said corporation passed on the 9th day of September, 1930, authorizing the construction of certain works under *The Local Improvement Act*, is confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof.

Commence-
ment of Act.

6. This Act shall come into force on the day upon which it receives the Royal Assent.

BILL

An Act respecting the Village of Fort Erie.

1st Reading

2nd Reading

3rd Reading

MR. WILSON (Niagara Falls)

(Private Bill)

2ND SESSION, 18TH LEGISLATURE, ONTARIO
21 GEORGE V, 1931

BILL

An Act respecting the Village of Fort Erie.

MR. WILLSON (Niagara Falls)

BILL

An Act respecting the Village of Fort Erie.

Preamble. **W**HEREAS the corporation of the village of Fort Erie has by its petition prayed for special legislation in respect to the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title. **1.** This Act may be cited as *The Village of Fort Erie Act, 1931*.

By-laws Nos. 729 and 730 and debentures confirmed. **2.** By-law number 729 of the corporation of the village of Fort Erie authorizing the borrowing of \$37,614 by the issue of debentures to pay for the construction of a relief sewer on Niagara Street from Gilmore Road to the centre line of Bridge Street in Bridgeburg, and by-law number 730 of the said corporation authorizing the construction of the said relief sewer and all debentures issued or to be issued under said by-law number 729 are hereby confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof.

1927, c. 110, s. 10 repealed. **3.** Section 10 of *The Village of Fort Erie Act, 1927* is repealed.

By-laws Nos. 571 and 573 and debentures, etc., confirmed. **4.—(1)** By-laws numbers 571 and 573 of the said corporation passed respectively on the 15th day of December, 1924 and the 3rd day of March, 1925, authorizing the issue of debentures to pay for the cost of certain works undertaken or purporting to have been undertaken under *The Local Improvement Act* and the said debentures and the special assessment rolls made with respect to the said works and the respective special rates imposed and levied or to be levied under the authority of said by-laws are confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof.

Rev. Stat. c. 235.

(2) Notwithstanding the provisions of subsection 1 and of said by-law number 571, the said corporation shall, commencing with the year 1931, assume and pay the special assessments charged for the sewer on Niagara Street in the said village mentioned in said by-law against those lots fronting or abutting upon the said sewer which are situate on the east side of said street between Queen Street and the north limit of Block A according to plan 453.

5. By-law number 703 of the said corporation passed on the 9th day of September, 1930, authorizing the construction of certain works under *The Local Improvement Act*, is confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof.

6. This Act shall come into force on the day upon which it receives the Royal Assent.

BILL

An Act respecting the Village of Fort Erie.

1st Reading

March 2nd, 1931

2nd Reading

March 6th, 1931

3rd Reading

March 13th, 1931

MR. WILSON (Niagara Falls)

No. 39

2ND SESSION, 18TH LEGISLATURE, ONTARIO

21 GEORGE V, 1931

BILL

An Act respecting The Nicholls' Hospital Trust.

MR. STRICKLAND

(PRIVATE BILL)

TORONTO

PRINTED BY HERBERT H. BALL

PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

BILL

An Act respecting The Nicholls' Hospital Trust.

Preamble.

WHEREAS The Nicholls' Hospital Trust has by its petition represented that for the purpose of erecting an addition to and otherwise improving the Nicholls' Hospital of Peterborough an application has been made to the corporation of the city of Peterborough for a grant of \$300,000 and it is proposed that a by-law for such purpose be submitted for the assent of the qualified ratepayers of the said city, but authority for the said corporation to issue debentures for the said amount is required; and also in the interest of the said hospital it is desirable that its board of trustees be increased by the addition thereto of four trustees to be appointed by the council of the said corporation; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Nicholls' Hospital Trust Act, 1931*.

Board of trustees. Appointment of additional trustees.

2.—(1) The Nicholls' Hospital Trust shall consist of a board of trustees chosen as provided for by the Act to incorporate the said trust, being chapter 87 of the Acts passed in the forty-ninth year of the reign of Her Majesty Queen Victoria, and there may be added thereto by by-law passed at any time by the council of the corporation of the city of Peterborough four resident ratepayers of the said city who are not Roman Catholics to be appointed by the said council at a regular meeting thereof, and at the first appointment thereof of those appointed one shall be appointed to hold office for the term of one year, one for the term of two years, one for the term of three years, and one for the term of four years, and thereafter the trustees to be appointed by the said council shall hold office for a term of four years and until their successors are appointed, so long as they continue to reside in the said city and are ratepayers therein and are not Roman Catholics, and it shall be lawful for the said council

when any vacancy in the said board shall occur by reason of any of the trustees appointed by it dying or resigning or becoming incapable of acting or disqualified, to appoint some other resident ratepayer of the said city who is not a Roman Catholic to fill the unexpired term of office caused by such vacancy.

(2) Any additional trustees appointed by the said council under this section shall be members of the board of trustees of the said hospital for all purposes, and shall have and may exercise all the powers, rights, privileges and duties of a trustee of the said trust while the by-law passed by the said council continues in force and during the terms of their respective appointments.

1886,
c. 87, s. 17,
amended.

3. Section 17 of the said Act is amended by adding thereto the following subsection:

City Council
may issue
debentures.

(2) Subject to the assent of the said ratepayers being first obtained thereto, the council of the corporation of the city of Peterborough, for the purpose of granting any sum or sums of money to be expended in permanent improvement, enlargement, extension or addition to the said hospital, may from time to time pass by-laws to provide such sum or sums by the issue of debentures of the said corporation, and, in accordance with the provisions of section 19, to levy a rate sufficient to pay the principal of any such debentures and the interest thereon as the same respectively become due and payable upon and out of the whole rateable property in the said city according to the last revised assessment roll, except the property of Roman Catholics, and save as otherwise provided in this Act, the provisions of *The Municipal Act* shall apply to such by-laws and the issue of any debentures thereunder.

Rev. Stat.,
c. 233.

Commence-
ment of Act.

4. This Act shall come into force on the day upon which it receives the Royal Assent.

BILL

An Act respecting 'The Nicholls'
Hospital Trust.

1st Reading

2nd Reading

3rd Reading

MR. STRICKLAND

(Private Bill)

No. 39

2ND SESSION, 18TH LEGISLATURE, ONTARIO

21 GEORGE V, 1931

BILL

An Act respecting The Nicholls' Hospital Trust.

MR. STRICKLAND

TORONTO

PRINTED BY HERBERT H. BALL

PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

No. 39

1931

BILL

An Act respecting The Nicholls' Hospital Trust.

Preamble.

WHEREAS The Nicholls' Hospital Trust has by its petition represented that for the purpose of erecting an addition to and otherwise improving the Nicholls' Hospital of Peterborough an application has been made to the corporation of the city of Peterborough for a grant of \$300,000 and it is proposed that a by-law for such purpose be submitted for the assent of the qualified ratepayers of the said city, but authority for the said corporation to issue debentures for the said amount is required; and also in the interest of the said hospital it is desirable that its board of trustees be increased by the addition thereto of four trustees to be appointed by the council of the said corporation; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Nicholls' Hospital Trust Act, 1931*.

Board of
trustees.
Appoint-
ment of
additional
trustees.

2.—(1) The Nicholls' Hospital Trust shall consist of a board of trustees chosen as provided for by the Act to incorporate the said trust, being chapter 87 of the Acts passed in the forty-ninth year of the reign of Her Majesty Queen Victoria, and there may be added thereto by by-law passed at any time by the council of the corporation of the city of Peterborough four resident ratepayers of the said city who are not Roman Catholics to be appointed by the said council at a regular meeting thereof, and at the first appointment thereof of those appointed one shall be appointed to hold office for the term of one year, one for the term of two years, one for the term of three years, and one for the term of four years, and thereafter the trustees to be appointed by the said council shall hold office for a term of four years and until their successors are appointed, so long as they continue to reside in the said city and are ratepayers therein and are not Roman Catholics, and it shall be lawful for the said council

when any vacancy in the said board shall occur by reason of any of the trustees appointed by it dying or resigning or becoming incapable of acting or disqualified, to appoint some other resident ratepayer of the said city who is not a Roman Catholic to fill the unexpired term of office caused by such vacancy.

(2) Any additional trustees appointed by the said council under this section shall be members of the board of trustees of the said hospital for all purposes, and shall have and may exercise all the powers, rights, privileges and duties of a trustee of the said trust while the by-law passed by the said council continues in force and during the terms of their respective appointments.

3. Section 17 of the said Act is amended by adding thereto the following subsection: <sup>1886,
c. 87, s. 17,
amended.</sup>

(2) Subject to the assent of the said ratepayers being first obtained thereto, the council of the corporation of the city of Peterborough, for the purpose of granting any sum or sums of money to be expended in permanent improvement, enlargement, extension or addition to the said hospital, may from time to time pass by-laws to provide such sum or sums by the issue of debentures of the said corporation, and, in accordance with the provisions of section 19, to levy a rate sufficient to pay the principal of any such debentures and the interest thereon as the same respectively become due and payable upon and out of the whole rateable property in the said city according to the last revised assessment roll, except the property of Roman Catholics, and save as otherwise provided in this Act, the provisions of *The Municipal Act* shall apply to such by-laws and the issue of any debentures thereunder. <sup>City Council
may issue
debentures.

Rev. Stat.,
c. 233.</sup>

4. This Act shall come into force on the day upon which it receives the Royal Assent. <sup>Commence-
ment of Act.</sup>

BILL

An Act respecting 'The Nicholls'
Hospital Trust.

1st Reading

February 26th, 1931

2nd Reading

March 13th, 1931

3rd Reading

March 18th, 1931

MR. STRICKLAND

2ND SESSION, 18TH LEGISLATURE, ONTARIO
21 GEORGE V, 1931

BILL

An Act respecting the Town of Orillia.

MR. JAMIESON

(PRIVATE BILL)

BILL

An Act respecting the Town of Orillia.

Preamble.

WHEREAS the corporation of the town of Orillia has by its petition represented that validation is required of certain by-laws, special assessment rolls and an agreement made between the said corporation and the corporation of the township of Orillia, all intended or purporting to be made under and pursuant to *The Local Improvement Act*; and that arising out of proposals for establishment under *The Power Commission Act* of rural power districts for areas in the townships of Mara, Rama and Orillia, it has been asserted that the corporation of the said town is under obligation to continue to furnish indefinitely for the purposes of residents in certain parts of said townships a supply of electrical power and light at special rates or prices, and the corporation of the said town, denying that it is under any such obligation, desires to have any doubts with respect thereto settled by legislative declaration that no such obligation exists; and whereas it is expedient to grant the prayer of the said petition;

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Town of Orillia Act, 1931*.

By-laws and
debentures
for sewer
mains, etc.,
confirmed.

2. By-laws numbers 1035, 1036, 1037, 1038, 1039, 1040, 1041, 1042, 1043, of the corporation of the town of Orillia each providing for the borrowing of money upon debentures for the construction of the several sewer main extensions and private drain connections referred to in such by-laws and for the levying of special rates annually to meet the cost of same and by-law number 1044 of the said corporation consolidating the sums authorized to be borrowed under all said mentioned by-laws and all debentures issued or to be issued thereunder are hereby validated and confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof and upon the properties liable for any rate or assessment imposed by or under the authority of any of such by-laws.

Special
assessment
rolls con-
firmed.

3. The several special assessment rolls of the said corporation made in respect of the said sewer main extensions and private drain connections to pay for which the moneys to be borrowed under the by-laws above mentioned are required and the special rates and assessments in each such roll provided for are hereby confirmed and declared to be valid and binding in the same manner and to the same extent as if all steps and proceedings required under *The Local Improvement Act* leading up to the making of such assessment rolls had been duly and regularly taken.

Rev. Stat.
c. 235.

Agreement
with town-
ship of
Orillia
confirmed.

4. The agreement between the said corporation and the corporation of the township of Orillia dated the ninth day of January, 1931, respecting a sewer main extension and private drain connections constructed on a portion of the Barrie Road, which forms part of the boundary between the said two municipalities is hereby declared to be valid and binding upon both of the said corporations and the ratepayers of each of them.

No obliga-
tion to
supply
electrical
power in
adjacent
townships.

5. It is declared that the corporation of the town of Orillia is not under any obligation to furnish or to continue to furnish a supply of electrical power or light to residents or other persons in any part of the townships of Mara, Rama and Orillia, or any of them, either indefinitely or at rates or prices limited by or based upon rates or prices charged to customers in the said town or at any special or limited rates or prices, and in so far as any such obligation may be deemed to subsist, the said corporation is released therefrom.

Rights of
existing
customers
preserved.

6. Nothing in section 5 contained shall operate to release the said corporation or the Orillia Water, Light and Power Commission from fulfilment of the terms of existing individual contracts entered into directly and separately with individual customers in any of said townships for furnishing them with a supply of electrical power or light for the unexpired balance of the term of each of such individual contracts and at the rates or prices specified therein and until such contract has expired or been determined under the conditions thereof, and such fulfilment may be either by the said Commission or by arrangement made by it with the Hydro-Electric Power Commission to furnish the supply through any rural power district undertaking established for areas in the said townships or any of them, so long as the rates or prices to be charged therefor do not exceed those provided for in said individual contracts while they remain in force.

Commence-
ment of Act.

7. This Act shall come into force on the day upon which it receives the Royal Assent.

BILL
An Act respecting the Town of Orillia.

1st Reading

2nd Reading

3rd Reading

MR. JAMIESON

(Private Bill)

No. 40

2ND SESSION, 18TH LEGISLATURE, ONTARIO
21 GEORGE V, 1931

BILL

An Act respecting the Town of Orillia.

MR. JAMIESON

(PRIVATE BILL)

No. 40

1931

BILL

An Act respecting the Town of Orillia.

Preamble.

WHEREAS the corporation of the town of Orillia has by its petition represented that validation is required of certain by-laws, special assessment rolls and an agreement made between the said corporation and the corporation of the township of Orillia, all intended or purporting to be made under and pursuant to *The Local Improvement Act*; and that arising out of proposals for establishment under *The Power Commission Act* of rural power districts for areas in the townships of Mará, Rama and Orillia, it has been asserted that the corporation of the said town is under obligation to continue to furnish indefinitely for the purposes of residents in certain parts of said townships a supply of electrical power and light at special rates or prices, and the corporation of the said town, denying that it is under any such obligation, desires to have any doubts with respect thereto settled by legislative declaration that no such obligation exists; and whereas it is expedient to grant the prayer of the said petition;

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Town of Orillia Act, 1931*.

By-laws and
debentures
for sewer
mains, etc.,
confirmed.

2. By-laws numbers 1035, 1036, 1037, 1038, 1039, 1040, 1041, 1042, 1043, of the corporation of the town of Orillia each providing for the borrowing of money upon debentures for the construction of the several sewer main extensions and private drain connections referred to in such by-laws and for the levying of special rates annually to meet the cost of same and by-law number 1044 of the said corporation consolidating the sums authorized to be borrowed under all said mentioned by-laws and by-law number 1048 of the said corporation to amend said by-law number 1044, and all debentures issued or to be issued thereunder are hereby validated and confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof and upon the properties liable for any rate or assessment imposed by or under the authority of any of such by-laws.

Special
assessment
rolls con-
firmed.



3. The several special assessment rolls of the said corporation made in respect of the said sewer main extensions and private drain connections to pay for which the moneys to be borrowed under the by-laws above mentioned are required and the special rates and assessments in each such roll provided for are hereby confirmed and declared to be valid and binding in the same manner and to the same extent as if all steps and proceedings required under *The Local Improvement Act* leading up to the making of such assessment rolls had been duly and regularly taken.

Rev. Stat.
c. 235.

Agreement
with town-
ship of
Orillia
confirmed.

4. The agreement between the said corporation and the corporation of the township of Orillia dated the ninth day of January, 1931, respecting a sewer main extension and private drain connections constructed on a portion of the Barrie Road, which forms part of the boundary between the said two municipalities is hereby declared to be valid and binding upon both of the said corporations and the ratepayers of each of them.


No obliga-
tion to
supply
electrical
power in
adjacent
townships.


5.  Save and except the rights and obligations arising out of the agreement referred to in section 7,  it is declared that the corporation of the town of Orillia is not under any obligation to furnish or to continue to furnish a supply of electrical power or light to residents or other persons in any part of the townships of Mara, Rama and Orillia, or any of them, either indefinitely or at rates or prices limited by or based upon rates or prices charged to customers in the said town or at any special or limited rates or prices, and in so far as any such obligation may be deemed to subsist, the said corporation is released therefrom.

Rights of
existing
customers
preserved.

6. Nothing in section 5 contained shall operate to release the said corporation or the Orillia Water, Light and Power Commission from fulfilment of the terms of existing individual contracts entered into directly and separately with individual customers in any of said townships for furnishing them with a supply of electrical power or light for the unexpired balance of the term of each of such individual contracts and at the rates or prices specified therein and until such contract has expired or been determined under the conditions thereof, and such fulfilment may be either by the said Commission or by arrangement made by it with The Hydro-Electric Power Commission of Ontario to furnish the supply through any rural power district undertaking established for areas in the said townships or any of them, so long as the rates or prices to be charged therefor do not exceed those provided for in said individual contracts while they remain in force.

Agreement
with certain
townships
confirmed.

 7. The agreement dated the 21st day of March, 1931, made between the said corporation and the corporations of

the said townships of Mara, Rama and Orillia setting forth the terms and conditions upon which the said corporation shall hereafter supply electrical power or light in parts of the said townships and otherwise settling the rights of the said respective corporations is hereby confirmed and declared to be legal, valid and binding upon all of the corporations parties thereto and upon the ratepayers of each of them respectively. 

Commence-
ment of Act.

8. This Act shall come into force on the day upon which it receives the Royal Assent.

BILL

An Act respecting the Town of Orillia.

1st Reading

March 10th, 1931

2nd Reading

3rd Reading

MR. JAMIESON

*(Reprinted as amended by the Private
Bills Committee)*

No. 40

2ND SESSION, 18TH LEGISLATURE, ONTARIO
21 GEORGE V, 1931

BILL

An Act respecting the Town of Orillia.

MR. JAMIESON

TORONTO
PRINTED BY HERBERT H. BALL
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

BILL

An Act respecting the Town of Orillia.

Preamble.

WHEREAS the corporation of the town of Orillia has by its petition represented that validation is required of certain by-laws, special assessment rolls and an agreement made between the said corporation and the corporation of the township of Orillia, all intended or purporting to be made under and pursuant to *The Local Improvement Act*; and that arising out of proposals for establishment under *The Power Commission Act* of rural power districts for areas in the townships of Mara, Rama and Orillia, it is desirable to have an agreement between the said corporation and the corporations of the said townships confirmed and other rights and obligations as to the supply of electrical energy or power by the said corporation in the said townships declared; and whereas it is expedient to grant the prayer of the said petition;

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Town of Orillia Act, 1931*.

By-laws and
debentures
for sewer
mains, etc.,
confirmed.

2. By-laws numbers 1035, 1036, 1037, 1038, 1039, 1040, 1041, 1042, 1043, of the corporation of the town of Orillia each providing for the borrowing of money upon debentures for the construction of the several sewer main extensions and private drain connections referred to in such by-laws and for the levying of special rates annually to meet the cost of same and by-law number 1044 of the said corporation consolidating the sums authorized to be borrowed under all said mentioned by-laws and by-law number 1048 of the said corporation to amend said by-law number 1044, and all debentures issued or to be issued thereunder are hereby validated and confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof and upon the properties liable for any rate or assessment imposed by or under the authority of any of such by-laws.

3. The several special assessment rolls of the said corporation made in respect of the said sewer main extensions and private drain connections to pay for which the moneys to be borrowed under the by-laws above mentioned are required and the special rates and assessments in each such roll provided for are hereby confirmed and declared to be valid and binding in the same manner and to the same extent as if all steps and proceedings required under *The Local Improvement Act* leading up to the making of such assessment rolls had been duly and regularly taken.

Special assessment rolls confirmed.
Rev. Stat. c. 235.

4. The agreement between the said corporation and the corporation of the township of Orillia dated the ninth day of January, 1931, respecting a sewer main extension and private drain connections constructed on a portion of the Barrie Road, which forms part of the boundary between the said two municipalities is hereby declared to be valid and binding upon both of the said corporations and the ratepayers of each of them.

Agreement with township of Orillia confirmed.

5. Save and except the rights and obligations arising out of the agreement referred to in section 7, it is declared that the corporation of the town of Orillia is not under any obligation to furnish or to continue to furnish a supply of electrical power or light to residents or other persons in any part of the townships of Mara, Rama and Orillia, or any of them, either indefinitely or at rates or prices limited by or based upon rates or prices charged to customers in the said town or at any special or limited rates or prices, and in so far as any such obligation may be deemed to subsist, the said corporation is released therefrom.

No obligation to supply electrical power in adjacent townships.

6. Nothing in section 5 contained shall operate to release the said corporation or the Orillia Water, Light and Power Commission from fulfilment of the terms of existing individual contracts entered into directly and separately with individual customers in any of said townships for furnishing them with a supply of electrical power or light for the unexpired balance of the term of each of such individual contracts and at the rates or prices specified therein and until such contract has expired or been determined under the conditions thereof, and such fulfilment may be either by the said Commission or by arrangement made by it with The Hydro-Electric Power Commission of Ontario to furnish the supply through any rural power district undertaking established for areas in the said townships or any of them, so long as the rates or prices to be charged therefor do not exceed those provided for in said individual contracts while they remain in force.

Rights of existing customers preserved.

7. The agreement dated the 21st day of March, 1931, made between the said corporation and the corporations of

Agreement with certain townships confirmed.

the said townships of Mara, Rama and Orillia setting forth the terms and conditions upon which the said corporation shall hereafter supply electrical power or light in parts of the said townships and otherwise settling the rights of the said respective corporations is hereby confirmed and declared to be legal, valid and binding upon all of the corporations parties thereto and upon the ratepayers of each of them respectively.

Commence-
ment of Act.

8. This Act shall come into force on the day upon which it receives the Royal Assent.

BILL

An Act respecting the Town of Orillia.

1st Reading

March 10th, 1931

2nd Reading

March 31st, 1931

3rd Reading

April 1st, 1931

MR. JAMIESON

No. 41

2ND SESSION, 18TH LEGISLATURE, ONTARIO
21 GEORGE V, 1931

BILL

An Act respecting the Township of Sandwich East.

MR. REID

(PRIVATE BILL)

TORONTO
PRINTED BY HERBERT H. BALL
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

No. 41

1931

BILL

An Act respecting the Township of Sandwich East.

Preamble.

WHEREAS the corporation of the township of Sandwich East has by its petition represented it desires that the said corporation may be empowered to appoint its treasurer to levy and collect all taxes, rates and assessments imposed by said corporation, with all the powers of a collector of taxes; and that its by-law number 1325 to provide for the appointment of members of the public utilities commission of the said township be validated and confirmed; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Township of Sandwich East Act, 1931*.

Treasurer to
levy and
collect taxes.

2. The council of the corporation of the township of Sandwich East may by by-law appoint and authorize the treasurer of the said corporation to levy and collect all taxes, rates and assessments which may be imposed from year to year by said council and to have and exercise all the powers conferred by law upon a collector of taxes, anything to the contrary in any general Act notwithstanding.

By-law
No. 1325
appointing
members of
Public
Utilities
Commis-
sion
confirmed.

Rev. Stat.,
c. 249.

3. By-law number 1325 of the said corporation, providing for the establishment of and the appointment of members to the public utilities commission of the said township, is hereby declared to be legal and valid and the commissioners therein named shall have all the powers of commissioners duly elected under the provisions of *The Public Utilities Act* but shall hold office for the year 1931 only, and until their successors are elected at the next annual municipal election of the said township.

Commence-
ment of Act.

4. This Act shall come into force on the day upon which it receives the Royal Assent.

BILL

An Act respecting the Township of
Sandwich East.

1st Reading

3rd Reading

2nd Reading

MR. REID

(*Private Bill*)

No. 41

2ND SESSION, 18TH LEGISLATURE, ONTARIO
21 GEORGE V, 1931

BILL

An Act respecting the Township of Sandwich East.

MR. REID

No. 41

1931

BILL

An Act respecting the Township of Sandwich East.

Preamble.

WHEREAS the corporation of the township of Sandwich East has by its petition represented it desires that its by-law number 1325 to provide for the appointment of members of the public utilities commission of the said township be validated and confirmed; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Township of Sandwich East Act, 1931*.

By-law
No. 1325
appointing
members of
Public
Utilities
Commis-
sion
confirmed.

Rev. Stat.,
c. 249.

2. By-law number 1325 of the said corporation, providing for the establishment of and the appointment of members to the public utilities commission of the said township, is hereby declared to be legal and valid and the commissioners therein named shall have all the powers of commissioners duly elected under the provisions of *The Public Utilities Act* but shall hold office for the year 1931 only, and until their successors are elected at the next annual municipal election of the said township.

Commence-
ment of Act.

3. This Act shall come into force on the day upon which it receives the Royal Assent.

BILL

An Act respecting the Township of
Sandwich East.

1st Reading

February 17th, 1931

2nd Reading

March 13th, 1931

3rd Reading

March 18th, 1931

MR. REID

No. 42

2ND SESSION, 18TH LEGISLATURE, ONTARIO
21 GEORGE V, 1931

BILL

An Act respecting the Township of Ancaster.

MR. MAHONY

(PRIVATE BILL)

TORONTO
PRINTED BY HERBERT H. BALL
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

No. 42

1931

BILL

An Act respecting the Township of Ancaster.

Preamble.

WHEREAS the corporation of the township of Ancaster has by its petition prayed for special legislation to authorize the establishment of water areas and sewer areas in defined portions of the township, and the construction of waterworks systems and sewerage systems and sewage disposal works to serve such areas and to provide for the assessment of the cost of said works, and the issue of debentures to meet the cost thereof, and to authorize agreements with other municipalities respecting joint sewage disposal works and joint use of sewer and joint waterworks and water supply systems; and whereas it is expedient to grant the prayer of the said petition:

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Township of Ancaster Act, 1931*.

Creation of
water and
sewer areas
and
construction
of works.

2. The council of the corporation of the township of Ancaster may from time to time pass by-laws to set apart and establish as a water area or as a sewer area any portion of the township described in such by-law, to construct, enlarge, extend, improve and operate waterworks systems within or outside of any water area or areas to serve such water area or one or more water areas or lands situate therein and to construct, enlarge, extend, improve and operate sewerage systems and sewage disposal works within or outside of any sewer area or areas to serve such sewer area or one or more sewer areas or lands situate therein.

Assessment
of cost.

3.—(1) The entire cost of the construction, enlargement, extension, improvement, operation, maintenance, management and repair of any such waterworks systems or of any such sewerage systems or sewage disposal works save and except such works as are undertaken pursuant to the provisions of *The Local Improvement Act* as hereinafter provided,

Rev. Stat.,
c. 235.

shall be assessed and levied upon all the rateable property in the area or areas to serve which such works have been undertaken, provided that where such works are undertaken to serve more than one area the council shall by by-law determine the portion of the cost thereof to be borne by each of such areas.

Application
of revenues.

(2) The revenues arising from the operation of any such works shall form a special fund for the use of the area to serve which such works have been undertaken. Provided that where such works have been undertaken to serve more than one area the said revenues shall be apportioned between or among the areas served in the same proportions as they contributed to the cost of the construction of such works.

Term of
debentures.

4. Where the whole or any portion of the cost of any work is assessed against all the rateable property in any area or areas, the debentures issued to provide for the payment of the cost so assessed may be made payable within thirty years from the date of issue of such debentures.

Certain
works as
local
improve-
ments.

5. The council may undertake within any water area or areas the construction of waterworks, watermains and necessary appliances and accessories and private drain connections and within any sewer area or areas the construction of sewers and necessary appliances and accessories and private drain connections as local improvements pursuant to the provisions of *The Local Improvement Act*, provided that:

Rev. Stat.,
c. 235.

Exceptions
from
Rev. Stat.,
c. 235.

Corpora-
tion's
portion of
cost
assessable
to area.

(a) Except as in this section otherwise expressly provided where a work is constructed to serve lands situate entirely within one area, that part of the cost which would otherwise be the corporation's portion of the cost shall be assessed upon all the rateable property in the area and the remainder of the cost of such work shall be specially assessed upon the lots within such area fronting or abutting directly on or served by the work.

Apportion-
ment of cost
among areas.

(b) Where a work is constructed to serve lands situate within more than one area, the council shall by by-law determine the portion of cost to be borne by each area, and such respective portions shall be assessed in such areas in the manner in this section provided.

Fixed
frontage
rate.

(c) The council may by by-law passed at any general or special meeting by a vote of three-fourths of all the members of the council provide that a certain annual rate per foot frontage in satisfaction of the owners' portion of the cost shall be assessed upon,

levied and collected from the lots fronting or abutting directly on or served by the watermains or sewers constructed in the area designated in such by-law during the currency of the debentures issued to pay for the cost of such watermains or sewers and that the remainder, if any, of the cost not provided for by such annual rate, shall be assessed and levied upon all the rateable property in the area, provided that if in any case such annual rate per foot frontage shall be more than sufficient to provide for the actual cost of the watermains or sewers the surplus resulting therefrom shall be deposited to a special account to be used by the council for the benefit of such area. Any such by-law shall not be repealed or amended except by a vote of three-fourths of all the members of the council.

Publication
of notices.

- (d) In any notice of council published, served or mailed pursuant to sections 10, 12, 37 or 42 of *The Local Improvement Act* in respect to the construction of watermains or sewers it shall not be necessary to show the portion of the cost, actual or estimated, which is to be borne by the corporation or the area, but it shall be sufficient to show the estimated cost of the work and the estimated cost thereof per foot frontage.

Maintenance
of work.

- (e) After a work undertaken has been completed it shall during its lifetime be maintained, managed and kept in repair by and at the expense of the area for the benefit of which it is constructed, or if constructed for the benefit of more than one area then at the expense of the areas in proportion to their respective shares of the cost of the construction thereof.

Debentures.

- (f) The debentures issued for the sums borrowed to defray any portion of the cost of any work which is assessed against all the rateable property in any area may be made payable within thirty years from the date of issue thereof if issued separately from the debentures issued to defray the portion of the cost which is specially assessed upon the lands fronting or abutting directly on or served by such work.

Temporary
loans and
debentures.

6. The council may agree with any bank or person for temporary advances to meet the cost of any of the works hereby authorized pending the completion thereof, and the council may when the work undertaken is completed borrow on the credit of the corporation at large such sums as may be necessary to repay such advances and to defray the cost of

the work undertaken including the items of cost referred to in subsection 2 of section 20 of *The Local Improvement Act*, and may issue debentures for the sums so borrowed.

Deficiency in rates.

7. If in any year the amount realized from the rates imposed to provide for the cost of any work and the interest thereon is insufficient to pay the amount falling due in such year in respect of the debentures issued to pay for the cost of such work, the council shall provide for the deficiency in the estimates for the current or the following year, and levy and collect the same by a general rate on all the rateable property in the municipality, but this shall not relieve the land in such area or areas so assessed and upon which the said rates are imposed from payment of the said rates.

Rev. Stat., c. 235, secs. 46 and 47, to apply.

8. The provisions of sections 46 and 47 of *The Local Improvement Act* shall apply *mutatis mutandis* to the works undertaken and debentures issued under this Act.

Alteration of areas.

9. The council of the township of Ancaster may from time to time pass by-laws to enlarge or reduce any defined area by annexing thereto such portion or portions of the said township or of any area or by withdrawing therefrom such portion or portions of the area as may be designated in the by-law, or to amalgamate any two or more areas or parts thereof, or to subdivide, vary, or alter any one or more areas, upon such terms and conditions and with such adjustments of rates as may be provided in the by-law.

Joint works under agreement with other municipalities.

10.—(1) The said corporation and the corporation of any adjacent municipality may enter into agreements for the construction, enlargement, extension, improvement, operation and maintenance of sewage disposal works, plant, appliances and accessories in connection therewith for the joint use of any sewer area or areas in the said township or in such other municipality, and the portion of the cost of the construction, enlargement, improvement and extension of such works and of the operation and maintenance thereof payable by the said corporation as fixed by such agreement shall be assessed and levied upon all the rateable property in such sewer area or areas as the case may be in the said township, as provided in section 3, and the revenue payable to the said township under any such agreement shall be credited to the sewer area charged with the said cost, or if more than one area, then to such areas in proportion to their respective shares of the said cost.

Sewage agreements (outside sewers).

(2) The said corporation and the corporation of any adjacent municipality may enter into agreements for the admission of sewage from the said township into the sewers

and sewerage works of such other municipality, and all cost, charges and expenses in connection therewith shall be assessed and levied on all the rateable property in the area in the said township benefited thereby, or if more than one area, then on all the rateable property in such areas in such proportion as the council may by by-law determine.

Sewage
agreements
(township
sewers).

(3) The said corporation may enter into agreements with the corporation of any adjacent municipality for the admission of sewage from such other municipality or municipalities into the sewers and sewerage works of the said township, and in such event the revenue arising therefrom shall be credited to the sewer area of the said township into whose sewers or works the sewage is admitted, or if more than one area then to such sewer areas in such proportion as the council may by by-law determine.

Water
supply
agreements
with other
municipi-
palities.

11. The said corporation may enter into agreements with any other municipal corporation for a supply of water to serve the waterworks systems and sewers and sewerage systems constructed, maintained and operated under the authority of this Act, and all cost, charges and expenses in connection therewith may be assessed and levied on all the rateable property in the area benefited thereby or, if in more than one area, then on all the rateable property in such areas in such proportions as the council may by by-law determine.

Require-
ments as to
by-laws
establishing
areas and
undertaking
works.

12.—(1) It shall not be necessary to submit for the assent of the electors any by-law passed pursuant to the provisions of this Act but no by-law to set apart and establish a water area or a sewer area pursuant to this Act or to apportion the cost of any work between two or more areas or parts thereof or to declare the desirability of undertaking or to undertake the construction of any work hereinbefore mentioned shall be valid unless the same has been passed at a meeting of the council by vote of two-thirds of all the members thereof.

Petition to
Municipal
Board.

(2) Where the council passes any such by-law, a majority of the owners representing one-half the total rateable assessment of such area or areas to be assessed therefor being dissatisfied with the establishment of a proposed water area or sewer area or with the proposed apportionment of cost of works for two or more areas or with the proposed work or with the manner in which it has been undertaken may by petition apply to the Ontario Railway and Municipal Board for relief and the Board may thereupon investigate the complaint and make such order with respect to the proposed scheme or work as may seem proper and after notice to the clerk of the said township of the application and pending its determination by the board the council shall not proceed with the proposed scheme or work, or pass any by-laws in respect thereto.

Sufficiency
of petition.

(3) The sufficiency of such petition shall be determined in the manner provided by section 15 of *The Local Improvement Act*.

Filing of
petition.

(4) Such petition shall be deposited with the Secretary of the Board within twenty-one days after publication of notice of the council's intention to pass a by-law for any of the purposes referred to in subsection 1.

Passing of
by-law and
publication
of notice.

(5) A by-law for any of the purposes referred to in subsection 1 shall not be passed until the expiry of twenty-one days after publication of the notice referred to in subsection 4, and such notice shall substantially be in the same form and to the same intent as the form of notice required to be published pursuant to section 10 of *The Local Improvement Act* with such amendments therein as may be requisite for the purposes of this section.

Installation
of sanitary
con-
veniences.

13. Where the local board of health of the said township recommends that sanitary conveniences should be installed in any building, and is of the opinion that the owner of the premises is unable to pay the expense of the same at once, the council of the said corporation may install suitable sanitary conveniences at the expense of the owner and may direct that the cost, including interest at a rate not exceeding six per cent. per annum on the deferred payments, be paid by the owner in equal successive annual payments extending over a period of not exceeding five years, and thereupon such annual payments shall be added by the clerk of the said corporation to the collector's roll for taxes and collected in like manner as municipal taxes.

Rev. Stat.,
c. 233, s. 306,
not to apply
to any rates
imposed
under this
Act.

14. All rates imposed and levied pursuant to the provisions of this Act shall be deemed to be local improvement rates for the purposes of section 306 of *The Municipal Act* and no rate levied pursuant to this Act shall be deemed to be included in the rate of two and a half cents in the dollar referred to in said section 306 for the purpose of determining whether the council may contract any further debts, and any debt may be contracted pursuant to the provisions of this Act notwithstanding the limitations prescribed by said section 306.

By-laws and
debentures
confirmed.

15. By-laws numbers 789 and 790 of the said corporation passed on the 2nd day of September, 1930, and by-laws numbers 795 and 796 of the said corporation passed on the 19th day of December, 1930, to provide for the laying out of waterworks area number 1 of the said township and to provide for the construction of a waterworks and certain watermains in the said area are hereby confirmed and declared to be legal, valid and binding upon the said corporation and the

ratepayers thereof and any by-law or by-laws of the said corporation to provide for the issue of debentures to pay for the construction of the said waterworks and watermains in the said area and the debentures to be issued thereunder are hereby declared to be legal, valid and binding upon the said corporation and the ratepayers thereof.

Commence-
ment of Act. **16.** This Act shall come into force on the day upon which it receives the Royal Assent.

BILL

An Act respecting the Township of
Ancaster.

1st Reading

2nd Reading

3rd Reading

MR. MAHONY

(*Private Bill*)

No. 42

2ND SESSION, 18TH LEGISLATURE, ONTARIO
21 GEORGE V, 1931

BILL

An Act respecting the Township of Ancaster.

MR. MAHONY

TORONTO
PRINTED BY HERBERT H. BALL
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

No. 42

1931

BILL

An Act respecting the Township of Ancaster.

Preamble.

WHEREAS the corporation of the township of Ancaster has by its petition prayed for special legislation to authorize the establishment of water areas and sewer areas in defined portions of the township, and the construction of waterworks systems and sewerage systems and sewage disposal works to serve such areas and to provide for the assessment of the cost of said works, and the issue of debentures to meet the cost thereof, and to authorize agreements with other municipalities respecting joint sewage disposal works and joint use of sewer and joint waterworks and water supply systems; and whereas it is expedient to grant the prayer of the said petition:

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Township of Ancaster Act, 1931*.

Creation of
water and
sewer areas
and
construction
of works.

2. The council of the corporation of the township of Ancaster may from time to time pass by-laws to set apart and establish as a water area or as a sewer area any portion of the township described in such by-law, to construct, enlarge, extend, improve and operate waterworks systems within or outside of any water area or areas to serve such water area or one or more water areas or lands situate therein and to construct, enlarge, extend, improve and operate sewerage systems and sewage disposal works within or outside of any sewer area or areas to serve such sewer area or one or more sewer areas or lands situate therein.

Assessment
of cost.

3.—(1) The entire cost of the construction, enlargement, extension, improvement, operation, maintenance, management and repair of any such waterworks systems or of any such sewerage systems or sewage disposal works save and except such works as are undertaken pursuant to the provisions of *The Local Improvement Act* as hereinafter provided,

Rev. Stat.,
c. 235.

shall be assessed and levied upon all the rateable property in the area or areas to serve which such works have been undertaken, provided that where such works are undertaken to serve more than one area the council shall by by-law determine the portion of the cost thereof to be borne by each of such areas.

(2) The revenues arising from the operation of any such works shall form a special fund for the use of the area to serve which such works have been undertaken. Provided that where such works have been undertaken to serve more than one area the said revenues shall be apportioned between or among the areas served in the same proportions as they contributed to the cost of the construction of such works.

Application of revenues.

4. Where the whole or any portion of the cost of any work is assessed against all the rateable property in any area or areas, the debentures issued to provide for the payment of the cost so assessed may be made payable within thirty years from the date of issue of such debentures.

Term of debentures.

5. The council may undertake within any water area or areas the construction of waterworks, watermains and necessary appliances and accessories and private drain connections and within any sewer area or areas the construction of sewers and necessary appliances and accessories and private drain connections as local improvements pursuant to the provisions of *The Local Improvement Act*, provided that:

Certain works as local improvements.
Rev. Stat., c. 235.

- (a) Except as in this section otherwise expressly provided where a work is constructed to serve lands situate entirely within one area, that part of the cost which would otherwise be the corporation's portion of the cost shall be assessed upon all the rateable property in the area and the remainder of the cost of such work shall be specially assessed upon the lots within such area fronting or abutting directly on or served by the work.
- Exceptions from Rev. Stat., c. 235.
Corporation's portion of cost assessable to area.
- (b) Where a work is constructed to serve lands situate within more than one area, the council shall by by-law determine the portion of cost to be borne by each area, and such respective portions shall be assessed in such areas in the manner in this section provided.
- Apportionment of cost among areas.
- (c) The council may by by-law passed at any general or special meeting by a vote of three-fourths of all the members of the council provide that a certain annual rate per foot frontage in satisfaction of the owners' portion of the cost shall be assessed upon,
- Fixed frontage rate.

levied and collected from the lots fronting or abutting directly on or served by the watermains or sewers constructed in the area designated in such by-law during the currency of the debentures issued to pay for the cost of such watermains or sewers and that the remainder, if any, of the cost not provided for by such annual rate, shall be assessed and levied upon all the rateable property in the area, provided that if in any case such annual rate per foot frontage shall be more than sufficient to provide for the actual cost of the watermains or sewers the surplus resulting therefrom shall be deposited to a special account to be used by the council for the benefit of such area. Any such by-law shall not be repealed or amended except by a vote of three-fourths of all the members of the council.

Publication
of notices.

- (d) In any notice of council published, served or mailed pursuant to sections 10, 12, 37 or 42 of *The Local Improvement Act* in respect to the construction of watermains or sewers it shall not be necessary to show the portion of the cost, actual or estimated, which is to be borne by the corporation or the area, but it shall be sufficient to show the estimated cost of the work and the estimated cost thereof per foot frontage.

Maintenance
of work.

- (e) After a work undertaken has been completed it shall during its lifetime be maintained, managed and kept in repair by and at the expense of the area for the benefit of which it is constructed, or if constructed for the benefit of more than one area then at the expense of the areas in proportion to their respective shares of the cost of the construction thereof.

Debentures.

- (f) The debentures issued for the sums borrowed to defray any portion of the cost of any work which is assessed against all the rateable property in any area may be made payable within thirty years from the date of issue thereof if issued separately from the debentures issued to defray the portion of the cost which is specially assessed upon the lands fronting or abutting directly on or served by such work.

Temporary
loans and
debentures.

6. The council may agree with any bank or person for temporary advances to meet the cost of any of the works hereby authorized pending the completion thereof, and the council may when the work undertaken is completed borrow on the credit of the corporation at large such sums as may be necessary to repay such advances and to defray the cost of

the work undertaken including the items of cost referred to in subsection 2 of section 20 of *The Local Improvement Act*, and may issue debentures for the sums so borrowed.

7. If in any year the amount realized from the rates imposed to provide for the cost of any work and the interest thereon is insufficient to pay the amount falling due in such year in respect of the debentures issued to pay for the cost of such work, the council shall provide for the deficiency in the estimates for the current or the following year, and levy and collect the same by a general rate on all the rateable property in the municipality, but this shall not relieve the land in such area or areas so assessed and upon which the said rates are imposed from payment of the said rates. Deficiency in rates.

8. The provisions of sections 46 and 47 of *The Local Improvement Act* shall apply *mutatis mutandis* to the works undertaken and debentures issued under this Act. Rev. Stat., c. 235, secs. 46 and 47, to apply.

9. The council of the township of Ancaster may from time to time pass by-laws to enlarge or reduce any defined area by annexing thereto such portion or portions of the said township or of any area or by withdrawing therefrom such portion or portions of the area as may be designated in the by-law, or to amalgamate any two or more areas or parts thereof, or to subdivide, vary, or alter any one or more areas, upon such terms and conditions and with such adjustments of rates as may be provided in the by-law. Alteration of areas.

10.—(1) The said corporation and the corporation of any adjacent municipality may enter into agreements for the construction, enlargement, extension, improvement, operation and maintenance of sewage disposal works, plant, appliances and accessories in connection therewith for the joint use of any sewer area or areas in the said township or in such other municipality, and the portion of the cost of the construction, enlargement, improvement and extension of such works and of the operation and maintenance thereof payable by the said corporation as fixed by such agreement shall be assessed and levied upon all the rateable property in such sewer area or areas as the case may be in the said township, as provided in section 3, and the revenue payable to the said township under any such agreement shall be credited to the sewer area charged with the said cost, or if more than one area, then to such areas in proportion to their respective shares of the said cost. Joint works under agreement with other municipalities.

(2) The said corporation and the corporation of any adjacent municipality may enter into agreements for the admission of sewage from the said township into the sewers Sewage agreements (outside sewers).

and sewerage works of such other municipality, and all cost, charges and expenses in connection therewith shall be assessed and levied on all the rateable property in the area in the said township benefited thereby, or if more than one area, then on all the rateable property in such areas in such proportion as the council may by by-law determine.

Sewage
agreements
(township
sewers).

(3) The said corporation may enter into agreements with the corporation of any adjacent municipality for the admission of sewage from such other municipality or municipalities into the sewers and sewerage works of the said township, and in such event the revenue arising therefrom shall be credited to the sewer area of the said township into whose sewers or works the sewage is admitted, or if more than one area then to such sewer areas in such proportion as the council may by by-law determine.

Water
supply
agreements
with other
municipalities.

11. The said corporation may enter into agreements with any other municipal corporation for a supply of water to serve the waterworks systems and sewers and sewerage systems constructed, maintained and operated under the authority of this Act, and all cost, charges and expenses in connection therewith may be assessed and levied on all the rateable property in the area benefited thereby or, if in more than one area, then on all the rateable property in such areas in such proportions as the council may by by-law determine.

Require-
ments as to
by-laws
establishing
areas and
undertaking
works.

12.—(1) It shall not be necessary to submit for the assent of the electors any by-law passed pursuant to the provisions of this Act but no by-law to set apart and establish a water area or a sewer area pursuant to this Act or to apportion the cost of any work between two or more areas or parts thereof or to declare the desirability of undertaking or to undertake the construction of any work hereinbefore mentioned shall be valid unless the same has been passed at a meeting of the council by vote of two-thirds of all the members thereof.

Petition to
Municipal
Board.

(2) Where the council passes any such by-law, a majority of the owners representing one-half the total rateable assessment of such area or areas to be assessed therefor being dissatisfied with the establishment of a proposed water area or sewer area or with the proposed apportionment of cost of works for two or more areas or with the proposed work or with the manner in which it has been undertaken may by petition apply to the Ontario Railway and Municipal Board for relief and the Board may thereupon investigate the complaint and make such order with respect to the proposed scheme or work as may seem proper and after notice to the clerk of the said township of the application and pending its determination by the board the council shall not proceed with the proposed scheme or work, or pass any by-laws in respect thereto.

(3) The sufficiency of such petition shall be determined in the manner provided by section 15 of *The Local Improvement Act*. Sufficiency of petition.

(4) Such petition shall be deposited with the Secretary of the Board within twenty-one days after publication of notice of the council's intention to pass a by-law for any of the purposes referred to in subsection 1. Filing of petition.

(5) A by-law for any of the purposes referred to in subsection 1 shall not be passed until the expiry of twenty-one days after publication of the notice referred to in subsection 4, and such notice shall substantially be in the same form and to the same intent as the form of notice required to be published pursuant to section 10 of *The Local Improvement Act* with such amendments therein as may be requisite for the purposes of this section. Passing of by-law and publication of notice.

13. Where the local board of health of the said township recommends that sanitary conveniences should be installed in any building, and is of the opinion that the owner of the premises is unable to pay the expense of the same at once, the council of the said corporation may install suitable sanitary conveniences at the expense of the owner and may direct that the cost, including interest at a rate not exceeding six per cent. per annum on the deferred payments, be paid by the owner in equal successive annual payments extending over a period of not exceeding five years, and thereupon such annual payments shall be added by the clerk of the said corporation to the collector's roll for taxes and collected in like manner as municipal taxes. Installation of sanitary conveniences.

14. All rates imposed and levied pursuant to the provisions of this Act shall be deemed to be local improvement rates for the purposes of section 306 of *The Municipal Act* and no rate levied pursuant to this Act shall be deemed to be included in the rate of two and a half cents in the dollar referred to in said section 306 for the purpose of determining whether the council may contract any further debts, and any debt may be contracted pursuant to the provisions of this Act notwithstanding the limitations prescribed by said section 306. Rev. Stat., c. 233, s. 306, not to apply to any rates imposed under this Act.

15. By-laws numbers 789 and 790 of the said corporation passed on the 2nd day of September, 1930, and by-laws numbers 795 and 796 of the said corporation passed on the 19th day of December, 1930, to provide for the laying out of waterworks area number 1 of the said township and to provide for the construction of a waterworks and certain watermains in the said area are hereby confirmed and declared to be legal, valid and binding upon the said corporation and the By-laws and debentures confirmed.

ratepayers thereof and any by-law or by-laws of the said corporation to provide for the issue of debentures to pay for the construction of the said waterworks and watermains in the said area and the debentures to be issued thereunder are hereby declared to be legal, valid and binding upon the said corporation and the ratepayers thereof.

Commence-
ment of Act. **16.** This Act shall come into force on the day upon which it receives the Royal Assent.

BILL

An Act respecting the Township of
Ancaster.

1st Reading

February 17th, 1931

2nd Reading

March 6th, 1931

3rd Reading

March 13th, 1931

MR. MAHONY

No. 43

2ND SESSION, 18TH LEGISLATURE, ONTARIO
21 GEORGE V, 1931

BILL

An Act respecting the Town of Sandwich.

MR. REID

(PRIVATE BILL)

TORONTO
PRINTED BY HERBERT H. BALL
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

No. 43

1931

BILL

An Act respecting the Town of Sandwich.

Preamble.

WHEREAS the corporation of the town of Sandwich has by its petition represented that it is desirable that the redistribution of certain taxes in arrears on Marlborough Park subdivision as resubdivided be confirmed, and that sales of land for taxes may be confirmed; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Town of Sandwich Act, 1931*.

By-law
No. 2099
respecting
arrears of
taxes in
Marlborough
Park
confirmed.

2. Notwithstanding anything contained in *The Town of Sandwich Act, 1930*, by-law number 2099 of the corporation of the town of Sandwich apportioning taxes in arrears up to the 31st day of December, 1928, among certain of the lots in the Marlborough Park Subdivision as resubdivided and the roll appearing as schedule "A" to the said by-law are hereby declared to be legal, valid and binding upon the said corporation and the ratepayers thereof and each amount set out opposite the several lots therein is hereby declared to be the arrears of taxes to the 31st day of December, 1928, under the provisions of *The Assessment Act*, and shall be collected thereunder in the same manner as other arrears of taxes are collectible.

Rev. Stat.,
c. 238.

Tax sales
and
conveyances
confirmed.

3.—(1) All sales of land within the town of Sandwich made subsequent to the 31st day of December, 1925, and prior to the 31st day of December, 1929, purporting to be made for arrears of taxes in respect to the land so sold are hereby ratified and confirmed and all conveyances of land so sold executed by the mayor and treasurer of the said corporation purporting to convey the said land so sold to the purchaser thereof or his heirs or assigns or to the said corporation shall have the effect of vesting the land so sold in the purchaser or

his heirs or assigns, and his or their heirs and assigns, or in the said corporation and its successors and assigns, as the case may be, in fee simple and clear of and free from all right, title and interest whatsoever of the owners thereof at the time of said sale, or their assigns, and of all charges and encumbrances thereon and dower therein except taxes accruing after those for non-payment of which the said lands were sold.

Pending
litigation.

(2) Nothing in subsection 1 contained shall affect any action, litigation or other proceeding now pending, but the same may be proceeded with and finally adjudicated upon in the same manner and to the same extent as if this Act had not been passed.

Commence-
ment of Act.

4. This Act shall come into force on the day upon which it receives the Royal Assent.

BILL

An Act respecting the Town of Sandwich.

1st Reading

2nd Reading

3rd Reading

MR. REID

(Private Bill)

No. 43

2ND SESSION, 18TH LEGISLATURE, ONTARIO
21 GEORGE V, 1931

BILL

An Act respecting the Town of Sandwich.

MR. REID

TORONTO
PRINTED BY HERBERT H. BALL
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

No. 43

1931

BILL

An Act respecting the Town of Sandwich.

Preamble.

WHEREAS the corporation of the town of Sandwich has by its petition represented that it is desirable that the redistribution of certain taxes in arrears on Marlborough Park subdivision as resubdivided be confirmed, and that sales of land for taxes may be confirmed; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Town of Sandwich Act, 1931*.

By-law
No. 2099
respecting
arrears of
taxes in
Marlborough
Park
confirmed.

2. Notwithstanding anything contained in *The Town of Sandwich Act, 1930*, by-law number 2099 of the corporation of the town of Sandwich apportioning taxes in arrears up to the 31st day of December, 1928, among certain of the lots in the Marlborough Park Subdivision as resubdivided and the roll appearing as schedule "A" to the said by-law are hereby declared to be legal, valid and binding upon the said corporation and the ratepayers thereof and each amount set out opposite the several lots therein is hereby declared to be the arrears of taxes to the 31st day of December, 1928, under the provisions of *The Assessment Act*, and shall be collected thereunder in the same manner as other arrears of taxes are collectible.

Rev. Stat.,
c. 238.

Tax sales
and
conveyances
confirmed.

3.—(1) All sales of land within the town of Sandwich made subsequent to the 31st day of December, 1925, and prior to the 31st day of December, 1929, purporting to be made for arrears of taxes in respect to the land so sold are hereby ratified and confirmed and all conveyances of land so sold executed by the mayor and treasurer of the said corporation purporting to convey the said land so sold to the purchaser thereof or his heirs or assigns or to the said corporation shall have the effect of vesting the land so sold in the purchaser or

his heirs or assigns, and his or their heirs and assigns, or in the said corporation and its successors and assigns, as the case may be, in fee simple and clear of and free from all right, title and interest whatsoever of the owners thereof at the time of said sale, or their assigns, and of all charges and encumbrances thereon and dower therein except taxes accruing after those for non-payment of which the said lands were sold.

(2) Nothing in subsection 1 contained shall affect any action, litigation or other proceeding now pending, but the same may be proceeded with and finally adjudicated upon in the same manner and to the same extent as if this Act had not been passed. ^{Pending litigation.}

4. This Act shall come into force on the day upon which it receives the Royal Assent. ^{Commencement of Act.}

BILL

An Act respecting the Town of Sandwich.

1st Reading

February 17th, 1931

2nd Reading

March 13th, 1931

3rd Reading

March 18th, 1931

MR. REID

No. 44

2ND SESSION, 18TH LEGISLATURE, ONTARIO
21 GEORGE V, 1931

BILL

An Act respecting the University of Regiopolis.

MR. SKINNER

(PRIVATE BILL)

TORONTO
PRINTED BY HERBERT H. BALL
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

BILL

An Act respecting the University of Regiopolis.

Preamble.

WHEREAS the corporation of the University of Regiopolis has by its petition prayed that the Coadjutor Archbishop of the Roman Catholic Diocese of Kingston should *ex officio* be a trustee of the corporations of the College and University of Regiopolis and that subject as hereinafter provided the Acts of Incorporation of the said College and University as now amended be confirmed; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The College and University of Regiopolis Act, 1931*.

Coadjutor
Archbishop
a trustee of
College and
University of
Regiopolis.

2. The Coadjutor Archbishop for the time being of the Roman Catholic Diocese of Kingston shall *ex officio* be and shall from the 17th day of May, 1929 be deemed to have been a trustee of the Collège of Regiopolis and of the University of Regiopolis and of the Senate of such University, with all the rights, powers and privileges conferred upon the Roman Catholic Bishops of the Diocese of Kingston by chapter 56 of the Acts of Upper Canada 1837 and chapter 133 of the Acts of the Province of Canada 1866 respectively as amended by this Act.

1837, c. 56;
1866, c. 133.

Power
to hold real
property
subject to
Rev. Stat.,
c. 132.

1845, c. 79,
s. 2 and 1866,
c. 133, s. 3,
repealed.

Rev. Stat.,
c. 132.

3. Section 2 of chapter 79 of the Acts of the Province of Canada, 1845, and section 3 of chapter 133 of the Acts of the Province of Canada are repealed and the corporations of the College and University of Regiopolis are and each of them is declared to have and from the dates of their respective incorporations to have had the right to acquire, have and hold lands, but hereafter such right shall be subject to the provisions of *The Mortmain and Charitable Uses Act*.

1837, c. 56,
and 1866,
c. 133 as
amended,
confirmed.

4. Save and except as heretofore or herein amended said chapter 56 of the Acts of Upper Canada, 1837, and said

chapter 133 of the Acts of the Province of Canada, 1866, respectively are confirmed and in force.

Inclusion of
Archbishop
of Kingston.

5. Wherever in the said mentioned Acts the Roman Catholic Bishop of the Diocese of Kingston is referred to it shall be construed to mean, refer to and include the Roman Catholic Archbishop of the Archdiocese of Kingston.

Commence-
ment of Act.

6. This Act shall come into force on the day upon which it receives the Royal Assent.

BILL

An Act respecting the University of
Regiopolis.

1st Reading

2nd Reading

3rd Reading

MR. SKINNER

(Private Bill)

No. 44

2ND SESSION, 18TH LEGISLATURE, ONTARIO
21 GEORGE V, 1931

BILL

An Act respecting the University of Regiopolis.

MR. SKINNER

No. 44

1931

BILL

An Act respecting the University of Regiopolis.

Preamble.

WHEREAS the corporation of the University of Regiopolis has by its petition prayed that the Coadjutor Archbishop of the Roman Catholic Diocese of Kingston should *ex officio* be a trustee of the corporations of the College and University of Regiopolis; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The College and University of Regiopolis Act, 1931*.

Coadjutor
Archbishop
a trustee of
College and
University of
Regiopolis.

2. The Coadjutor Archbishop for the time being of the Roman Catholic Diocese of Kingston shall *ex officio* be and shall from the 17th day of May, 1929 be deemed to have been a trustee of the College of Regiopolis and of the University of Regiopolis and of the Senate of such University, with all the rights, powers and privileges conferred upon the Roman Catholic Bishops of the Diocese of Kingston by chapter 56 of the Acts of Upper Canada 1837 and chapter 133 of the Acts of the Province of Canada 1866 respectively.

1837, c. 56;
1866, c. 133

Inclusion of
Archbishop
of Kingston.

3. Wherever in the said mentioned Acts the Roman Catholic Bishop of the Diocese of Kingston is referred to it shall be construed to mean, refer to and include the Roman Catholic Archbishop of the Archdiocese of Kingston.

Commence-
ment of Act.

4. This Act shall come into force on the day upon which it receives the Royal Assent.

BILL

An Act respecting the University of
Regiopolis.

1st Reading

March 10th, 1931

2nd Reading

April 1st, 1931

3rd Reading

April 1st, 1931

MR. SKINNER

2ND SESSION, 18TH LEGISLATURE, ONTARIO
21 GEORGE V, 1931

BILL

An Act respecting the Village of Stoney Creek.

MR. MAHONY

(PRIVATE BILL)

No. 45

1931

BILL

An Act respecting the Village of Stoney Creek.

Preamble.

WHEREAS the corporation of the village of Stoney Creek has by its petition prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Village of Stoney Creek Act, 1931*.

By-law No. 4
for water-
mains
confirmed
and
debentures
authorized.

Rev. Stat.,
c. 235.

2. By-law number 4 of the corporation of the village of Stoney Creek passed on the 12th day of January, 1931, authorizing the construction of certain watermains therein mentioned as local improvements under *The Local Improvement Act*, is hereby ratified and confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof, and the works mentioned in said by-law shall conclusively be deemed to have been properly and lawfully undertaken pursuant to and in accordance with the provisions of the said Act, and the council of the said corporation may upon completion of the works mentioned in said by-law borrow upon the credit of the said corporation at large by the issue of debentures under the said Act such sums as may be necessary to defray the cost of the said works, and all debentures to be issued or purporting to be issued to defray the cost of said works, or any of them, are hereby declared to be legal, valid and binding upon the said corporation and the ratepayers thereof.

Debentures
for water-
works
authorized.

3.—(1) The council of the said corporation may, without submitting the same to the electors qualified to vote on money by-laws, pass a by-law or by-laws for borrowing by the issue of debentures a sum not exceeding \$35,000 to defray the cost of constructing for the said corporation water supply works consisting of an elevated tank, force main and pumping station with necessary appliances and appurtenances.

Nature of
debentures.
Rev. Stat.,
c. 233.

(2) The said debentures may be payable in any manner authorized by *The Municipal Act* within a period not exceeding thirty years from the date thereof.

Irregulari-
ties not to
invalidate.

(3) No irregularity in the form or substance of the said debentures or any of them, or of any by-law authorizing the issue thereof shall render the same invalid or illegal, or be allowed as a defence to any action brought against the said corporation for the recovery of the said debentures or interest or any part thereof.

Commence-
ment of Act.

4. This Act shall come into force on the day upon which it receives the Royal Assent.

BILL

An Act respecting the Village of
Stoney Creek.

1st Reading

2nd Reading

3rd Reading

MR. MAHONY

(*Private Bill*)

No. 45

2ND SESSION, 18TH LEGISLATURE, ONTARIO
21 GEORGE V, 1931

BILL

An Act respecting the Village of Stoney Creek.

MR. MAHONY

BILL

An Act respecting the Village of Stoney Creek.

Preamble.

WHEREAS the corporation of the village of Stoney Creek has by its petition prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Village of Stoney Creek Act, 1931*.

By-law No. 4
for water-
mains
confirmed
and
debentures
authorized.

Rev. Stat.,
c. 235.

2. By-law number 4 of the corporation of the village of Stoney Creek passed on the 12th day of January, 1931, authorizing the construction of certain watermains therein mentioned as local improvements under *The Local Improvement Act*, is hereby ratified and confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof, and the works mentioned in said by-law shall conclusively be deemed to have been properly and lawfully undertaken pursuant to and in accordance with the provisions of the said Act, and the council of the said corporation may upon completion of the works mentioned in said by-law borrow upon the credit of the said corporation at large by the issue of debentures under the said Act such sums as may be necessary to defray the cost of the said works, and all debentures to be issued or purporting to be issued to defray the cost of said works, or any of them, are hereby declared to be legal, valid and binding upon the said corporation and the ratepayers thereof.

Debentures
for water-
works
authorized.

3.—(1) The council of the said corporation may, without submitting the same to the electors qualified to vote on money by-laws, pass a by-law or by-laws for borrowing by the issue of debentures a sum not exceeding \$35,000 to defray the cost of constructing for the said corporation water supply works consisting of an elevated tank, force main and pumping station with necessary appliances and appurtenances.

(2) The said debentures may be payable in any manner authorized by *The Municipal Act* within a period not exceeding thirty years from the date thereof. Nature of debentures. Rev. Stat., c. 233.

(3) No irregularity in the form or substance of the said debentures or any of them, or of any by-law authorizing the issue thereof shall render the same invalid or illegal, or be allowed as a defence to any action brought against the said corporation for the recovery of the said debentures or interest or any part thereof. Irregularities not to invalidate.

4. This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

BILL

An Act respecting the Village of
Stoney Creek.

1st Reading

February 25th, 1931

2nd Reading

March 4th, 1931

3rd Reading

March 13th, 1931

MR. MAHONY

No. 46

2ND SESSION, 18TH LEGISLATURE, ONTARIO
21 GEORGE V, 1931

BILL

An Act respecting the Town of Bridgeburg.

MR. WILLSON (Niagara Falls)

(PRIVATE BILL)

TORONTO
PRINTED BY HERBERT H. BALL
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

No. 46

1931

BILL

An Act respecting the Town of Bridgeburg.

Preamble.

WHEREAS the corporation of the town of Bridgeburg has by its petition represented that it has incurred a floating indebtedness to the extent of \$75,000 which has accumulated during recent years and has been created in part, to the extent of \$64,800, by reason of loss of taxes and as to the balance thereof by the construction of permanent municipal works in the said town, and that to pay off the said floating debt forthwith and to pay in addition thereto the ordinary annual expenditures would be unduly oppressive to the ratepayers of the said town; and the said corporation has prayed that the floating debt be consolidated and that the said corporation be authorized to borrow by the issue and sale of debentures sufficient money to discharge said floating debt; and whereas the said corporation has by its petition prayed for special legislation in respect to certain other matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Town of Bridgeburg Act, 1931*.

Debentures
for floating
debt.

2. The floating debt of the corporation of the town of Bridgeburg is consolidated at the sum of \$75,000, and the said corporation may borrow by a special issue of debentures a sum not exceeding \$75,000 for the purpose of paying the said floating debt.

Term of
debentures,
etc.

3. The said debentures shall be made payable in not more than twenty years from the date of issue thereof, and shall bear interest at a rate not exceeding six per centum per annum, and may be issued either with or without coupons attached thereto for interest, and shall be payable at such place or places as the corporation may deem expedient.

Type of
debentures.

4. The said debentures shall be payable in equal annual instalments of principal and interest, in such manner and of such amounts that the amount payable for principal and interest in any year shall be equal as nearly as may be to the amount payable for principal and interest during each of the other years of the period within which the said debt is to be discharged.

Special rate.

5. The said corporation shall levy in each year during the period within which the said debt is payable, in addition to all other rates, a special rate sufficient to produce and pay the annual instalments of principal and interest falling due upon the said debentures.

Application
of
debentures.

6. The debentures and all moneys arising from the sale thereof shall be applied in payment of the said floating debt and for no other purpose.

Assent of
electors not
requisite.

7. It shall not be necessary to obtain the assent of the electors of the said town qualified to vote on money by-laws to the passing of any by-law which shall be passed under the authority of this Act, or to observe the formalities in relation thereto prescribed by *The Municipal Act*.

Irregulari-
ties not to
invalidate.

8. No irregularity in the form of the said debentures or any of them, or of any by-law authorizing the issue thereof shall render the same invalid or illegal, or be allowed as a defence to any action brought against the said corporation for the recovery of the said debentures or interest or any part thereof; and the purchaser or holder thereof shall not be bound to enquire as to the necessity of passing such by-law or issuing debentures or as to the application of the proceeds thereof.

Treasurer
to keep
special
books.

9. It shall be the duty of the treasurer, for the time being, of the said town to keep, and it shall be the duty of each of the members, from time to time, of the council to procure such treasurer to keep, and see that he does keep, a proper book of account, setting forth a full and particular statement, so that the same shall at all times show the number of debentures which from time to time shall be issued under the powers conferred by this Act, and the respective amounts, payment of which is thereby secured, and the times at which the said debentures shall respectively become due and payable, and the several amounts which shall, from time to time, be realized from the sales or negotiations of the said debentures, and the application which shall, from time to time, be made of the said amounts and the said book of account and statement shall at all times, and at all reasonable hours, be open to the inspection of any ratepayer of the said town, and of any

of the holders, from time to time, of the debentures which shall be issued under the powers hereby conferred, or any of such debentures.

By-law No.
679 and
debentures
confirmed.

10. By-law number 679 of the said corporation authorizing the borrowing of \$30,073.60 upon debentures to pay for the construction of certain local improvements, and all debentures issued or to be issued thereunder, are hereby confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof.

By-laws
Nos. 690 and
691 and
debentures
confirmed.

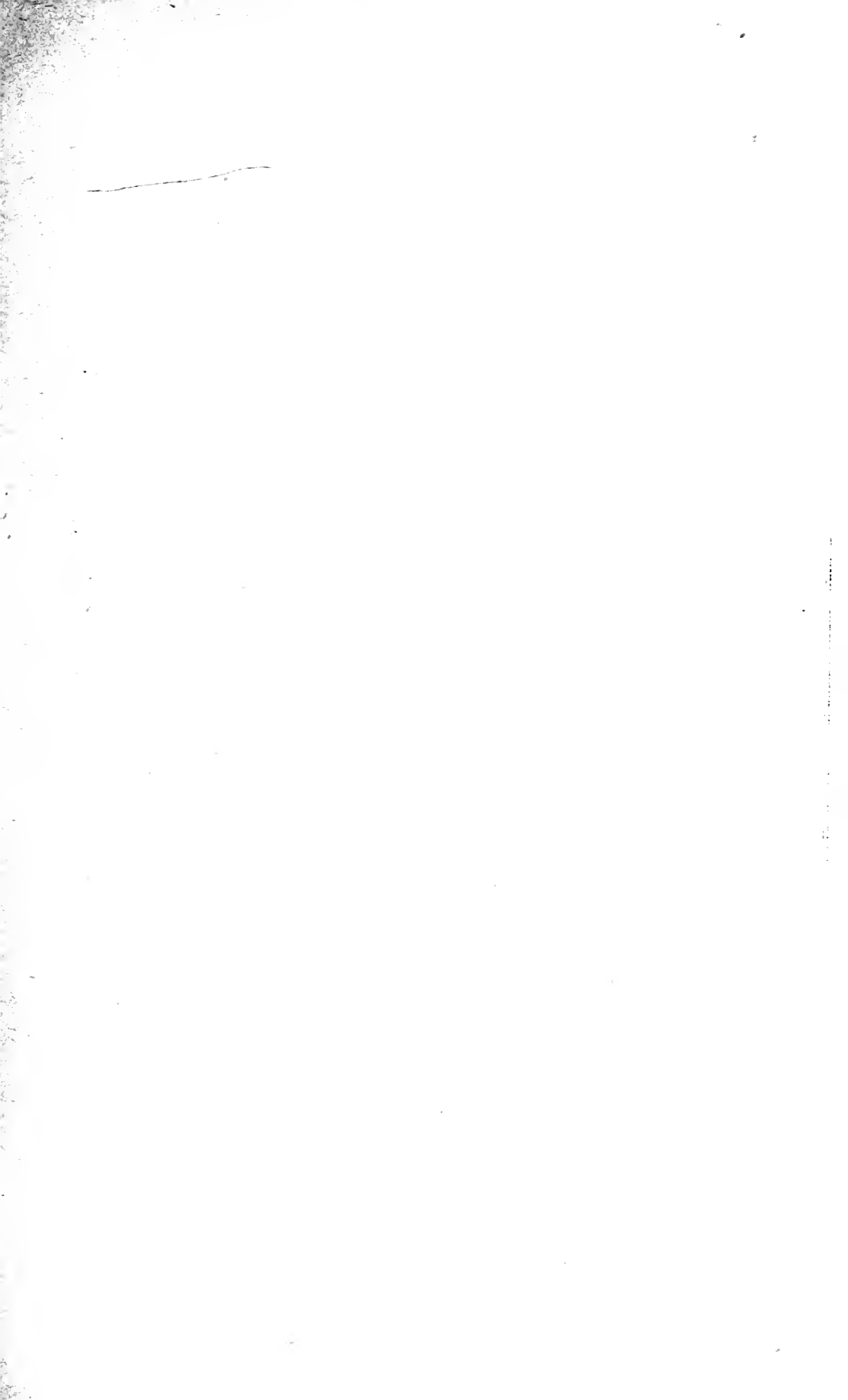
11. By-law number 690 of the said corporation authorizing the borrowing of \$6,500 by the issue of debentures to pay for the construction of a relief sewer on Niagara Street from the centre line of Bridge Street to Jarvis Street, and by-law number 691 of the said corporation authorizing the construction of the said relief sewer, and all debentures issued or to be issued under said by-law number 690 are hereby confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof.

Corporate
name on
annexation
of Fort Erie.

12. The Ontario Railway and Municipal Board by an order made pursuant to section 23 of *The Municipal Act* annexing the village of Fort Erie to the town of Bridgeburg may declare that the name of the corporation of the town of Bridgeburg shall be "the Corporation of the Town of Fort Erie," from and after such date as the Board may direct.

Commence-
ment of Act.

13. This Act shall come into force on the day upon which it receives the Royal Assent.



BILL.

An Act respecting the Town of Bridgeburg.

1st Reading

2nd Reading

3rd Reading

MR. WILSON (Niagara Falls)

(*Private Bill*)

No. 46

2ND SESSION, 18TH LEGISLATURE, ONTARIO
21 GEORGE V, 1931

BILL

An Act respecting the Town of Bridgeburg.

MR. WILLSON (Niagara Falls)

TORONTO
PRINTED BY HERBERT H. BALL
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

BILL

An Act respecting the Town of Bridgeburg.

Preamble.

WHEREAS the corporation of the town of Bridgeburg has by its petition represented that it has incurred a floating indebtedness to the extent of \$75,000 which has accumulated during recent years and has been created in part, to the extent of \$64,800, by reason of loss of taxes and as to the balance thereof by the construction of permanent municipal works in the said town, and that to pay off the said floating debt forthwith and to pay in addition thereto the ordinary annual expenditures would be unduly oppressive to the ratepayers of the said town; and the said corporation has prayed that the floating debt be consolidated and that the said corporation be authorized to borrow by the issue and sale of debentures sufficient money to discharge said floating debt; and whereas the said corporation has by its petition prayed for special legislation in respect to certain other matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Town of Bridgeburg Act, 1931*.

Debentures
for floating
debt.

2. The floating debt of the corporation of the town of Bridgeburg is consolidated at the sum of \$75,000, and the said corporation may borrow by a special issue of debentures a sum not exceeding \$75,000 for the purpose of paying the said floating debt.

Term of
debentures,
etc.

3. The said debentures shall be made payable in not more than twenty years from the date of issue thereof, and shall bear interest at a rate not exceeding six per centum per annum, and may be issued either with or without coupons attached thereto for interest, and shall be payable at such place or places as the corporation may deem expedient.

4. The said debentures shall be payable in equal annual instalments of principal and interest, in such manner and of such amounts that the amount payable for principal and interest in any year shall be equal as nearly as may be to the amount payable for principal and interest during each of the other years of the period within which the said debt is to be discharged. ^{Type of debentures.}

5. The said corporation shall levy in each year during the period within which the said debt is payable, in addition to all other rates, a special rate sufficient to produce and pay the annual instalments of principal and interest falling due upon the said debentures. ^{Special rate.}

6. The debentures and all moneys arising from the sale thereof shall be applied in payment of the said floating debt and for no other purpose. ^{Application of debentures.}

7. It shall not be necessary to obtain the assent of the electors of the said town qualified to vote on money by-laws to the passing of any by-law which shall be passed under the authority of this Act, or to observe the formalities in relation thereto prescribed by *The Municipal Act*. ^{Assent of electors not requisite.}

8. No irregularity in the form of the said debentures or any of them, or of any by-law authorizing the issue thereof shall render the same invalid or illegal, or be allowed as a defence to any action brought against the said corporation for the recovery of the said debentures or interest or any part thereof; and the purchaser or holder thereof shall not be bound to enquire as to the necessity of passing such by-law or issuing debentures or as to the application of the proceeds thereof. ^{Irregularities not to invalidate.}

9. It shall be the duty of the treasurer, for the time being, of the said town to keep, and it shall be the duty of each of the members, from time to time, of the council to procure such treasurer to keep, and see that he does keep, a proper book of account, setting forth a full and particular statement, so that the same shall at all times show the number of debentures which from time to time shall be issued under the powers conferred by this Act, and the respective amounts, payment of which is thereby secured, and the times at which the said debentures shall respectively become due and payable, and the several amounts which shall, from time to time, be realized from the sales or negotiations of the said debentures, and the application which shall, from time to time, be made of the said amounts and the said book of account and statement shall at all times, and at all reasonable hours, be open to the inspection of any ratepayer of the said town, and of any ^{Treasurer to keep special books.}

of the holders, from time to time, of the debentures which shall be issued under the powers hereby conferred, or any of such debentures.

By-law No.
679 and
debentures
confirmed.

10. By-law number 679 of the said corporation authorizing the borrowing of \$30,073.60 upon debentures to pay for the construction of certain local improvements, and all debentures issued or to be issued thereunder, are hereby confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof.

By-laws
Nos. 690 and
691 and
debentures
confirmed.

11. By-law number 690 of the said corporation authorizing the borrowing of \$6,500 by the issue of debentures to pay for the construction of a relief sewer on Niagara Street from the centre line of Bridge Street to Jarvis Street, and by-law number 691 of the said corporation authorizing the construction of the said relief sewer, and all debentures issued or to be issued under said by-law number 690 are hereby confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof.

Corporate
name on
annexation
of Fort Erie.

12. The Ontario Railway and Municipal Board by an order made pursuant to section 23 of *The Municipal Act* annexing the village of Fort Erie to the town of Bridgeburg may declare that the name of the corporation of the town of Bridgeburg shall be "the Corporation of the Town of Fort Erie," from and after such date as the Board may direct.

Commence-
ment of Act.

13. This Act shall come into force on the day upon which it receives the Royal Assent.

BILL

An Act respecting the Town of Bridgeburg.

1st Reading

March 2nd, 1931

2nd Reading

March 13th, 1931

3rd Reading

March 18th, 1931

Mr. WILSON (Niagara Falls)

2ND SESSION, 18TH LEGISLATURE, ONTARIO
21 GEORGE V, 1931

BILL

An Act respecting the Town of Capreol.

MR. AUBIN

(PRIVATE BILL)

No. 47

1931

BILL

An Act respecting the Town of Capreol.

Preamble.

WHEREAS the corporation of the town of Capreol has by its petition represented it is desirable that its by-law number 184 and the debentures issued or to be issued thereunder should be validated and confirmed; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Town of Capreol Act, 1931*.

By-law
No. 184 and
debentures
confirmed.

2. By-law number 184 passed by the council of the corporation of the town of Capreol on the 2nd day of February, 1931, to provide for borrowing \$6,000 upon debentures for the purpose of paying for the completion of the construction and equipment of a municipal building to be used as a fire hall and for other purposes of the said corporation and all debentures issued or to be issued thereunder are confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof.

Commence-
ment of Act.

3. This Act shall come into force on the day upon which it receives the Royal Assent.

BILL

An Act respecting the Town of Capreol.

1st Reading

2nd Reading

3rd Reading

MR. AUBIN

(*Private Bill*)

No. 47

2ND SESSION, 18TH LEGISLATURE, ONTARIO
21 GEORGE V, 1931

BILL

An Act respecting the Town of Capreol.

MR. AUBIN

No. 47

1931

BILL

An Act respecting the Town of Capreol.

Preamble.

WHEREAS the corporation of the town of Capreol has by its petition represented it is desirable that its by-law number 184 and the debentures issued or to be issued thereunder should be validated and confirmed; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Town of Capreol Act, 1931*.

By-law
No. 184 and
debentures
confirmed.

2. By-law number 184 passed by the council of the corporation of the town of Capreol on the 2nd day of February, 1931, to provide for borrowing \$6,000 upon debentures for the purpose of paying for the completion of the construction and equipment of a municipal building to be used as a fire hall and for other purposes of the said corporation and all debentures issued or to be issued thereunder are confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof.

Commence-
ment of Act.

3. This Act shall come into force on the day upon which it receives the Royal Assent.

BILL

An Act respecting the Town of Capreol.

1st Reading

March 10th, 1931

2nd Reading

March 18th, 1931

3rd Reading

March 23rd, 1931

MR. AUBIN

2ND SESSION, 18TH LEGISLATURE, ONTARIO

21 GEORGE V, 1931

BILL

An Act respecting the Town of Hawkesbury.

MR. COTE

(PRIVATE BILL)

TORONTO

PRINTED BY HERBERT H. BALL

PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

BILL

An Act respecting the Town of Hawkesbury.

Preamble.

WHEREAS the corporation of the town of Hawkesbury has by its petition represented that it has incurred a floating debt of \$21,590 by reason of default in repayment to the said corporation of certain advances secured by mortgage and that to liquidate the said floating indebtedness forthwith in addition to meeting the ordinary annual expenditures would be unduly oppressive to its ratepayers, and has prayed that power should be granted to consolidate the said debt and to issue debentures therefor in an amount not exceeding \$22,500; and whereas the said corporation has also by its petition prayed for special legislation in respect of the other matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Town of Hawkesbury Act, 1931*.

Debentures for floating debt.

2. The floating debt of the corporation of the town of Hawkesbury is consolidated at the sum of \$21,590 and the said corporation may borrow by a special issue of debentures a sum not exceeding \$22,500 for the purpose of paying the said floating debt.

Term of debentures.

3. The said debentures shall be made payable in not more than twenty years from the date of the issue thereof and shall bear interest at a rate not exceeding five per centum per annum and may be issued either with or without coupons attached thereto for interest and shall be payable at such place or places as the corporation may deem expedient.

Type of debentures.

4. The said debentures shall be payable in equal annual instalments of principal and interest, in such manner, and of such amounts that the amount payable for principal and interest in any year shall be equal as nearly as may be to

what is payable for principal and interest during each of the other years of the period within which the said debt is to be discharged.

Special rate
to retire
debentures.

5. The said corporation shall levy and collect in each year during the period within which the said debt is payable, in addition to all other rates, a special rate sufficient to produce and pay the annual instalments of principal and interest falling due upon the said debentures.

Application
of
debenture
proceeds.

6. The said debentures and all moneys arising from the sale thereof shall be applied in payment of the said floating debt, and for no other purpose.

Assent of
electors not
necessary.

7. It shall not be necessary to obtain the assent of the electors of the said town qualified to vote on money by-laws to the passing of any by-law which shall be passed under the authority of this Act or to observe the formalities in relation thereto prescribed by *The Municipal Act*.

Rev. Stat.,
c. 233.

Irregulari-
ties not to
invalidate.

8. No irregularity in the form of the said debentures, or any of them, or of any by-law authorizing the issue thereof, shall render the same invalid or illegal, or be allowed as a defence to any action brought against the said corporation for the recovery of the said debentures or interest or any part thereof; and the purchaser or holder thereof shall not be bound to enquire as to the necessity of passing such by-law or issuing debentures or as to the application of the proceeds thereof.

Treasurer
to keep
books.

9. It shall be the duty of the treasurer for the time being, of the said town, to keep, and it shall be the duty of each of the members, from time to time, of the council to procure such treasurer to keep, and see that he does keep, a proper book of account, setting forth a full and particular statement, so that the same shall at all times show the number of debentures which from time to time shall be issued under the powers conferred by this Act, and the respective amounts payment of which is thereby secured, and the times at which the said debentures shall respectively become due and payable, and the several amounts which shall, from time to time, be realized from the sales or negotiations of the said debentures and the application which shall, from time to time, be made of the said amounts; and the said book of account and statement shall at all times, and at all reasonable hours, be open to the inspection of any ratepayer of the said town, and of any of the holders, from time to time, of the debentures which shall be issued under the powers hereby conferred, or any of such debentures.

Tax sales
and
conveyances
confirmed.

10.—(1) All sales of land in the said town made prior to the 31st day of December, 1929, and which purport to be made by the said corporation or its treasurer for arrears of taxes in respect of lands so sold are hereby validated and confirmed and all conveyances of land so sold executed by the mayor and treasurer of the said town, purporting to convey the said lands so sold to the purchaser or his heirs or assigns or to the said corporation are hereby validated and confirmed, and shall have the effect of vesting the lands so sold and conveyed, or purported to be sold and conveyed, and the same are hereby vested in the purchaser or his heirs or assigns and his or their heirs and assigns or in the said corporation and its successors and assigns as the case may be, in fee simple, free and clear of and from all right, title and interest whatsoever of the owners thereof at the time of such sale, or their assigns, and of all charges and encumbrances thereon and dower therein, except taxes accruing since those for non-payment of which the said lands were sold.

Pending
litigation.

(2) Nothing in this section contained shall affect any action, litigation or other proceeding now pending, but the same may be proceeded with and finally adjudicated upon in the same manner and to the same extent as if this section had not been passed.

Commence-
ment of Act.

11. The provisions of this Act other than section 10 shall come into force on the day upon which it receives the Royal Assent. Section 10 shall come into force on the 1st day of July, 1931.



BILL

An Act respecting the Town of
Hawkesbury.

1st Reading

2nd Reading

3rd Reading

MR. COTE

(*Private Bill*)

No. 48

2ND SESSION, 18TH LEGISLATURE, ONTARIO

21 GEORGE V, 1931

BILL

An Act respecting the Town of Hawkesbury.

MR. COTE

TORONTO

PRINTED BY HERBERT H. BALL

PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

No. 48

1931

BILL

An Act respecting the Town of Hawkesbury.

Preamble.

WHEREAS the corporation of the town of Hawkesbury has by its petition represented that it has incurred a floating debt of \$21,590 by reason of default in repayment to the said corporation of certain advances secured by mortgage and that to liquidate the said floating indebtedness forthwith in addition to meeting the ordinary annual expenditures would be unduly oppressive to its ratepayers, and has prayed that power should be granted to consolidate the said debt and to issue debentures therefor in an amount not exceeding \$22,500; and whereas the said corporation has also by its petition prayed for special legislation in respect of the other matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Town of Hawkesbury Act, 1931*.

Debentures
for floating
debt.

2. The floating debt of the corporation of the town of Hawkesbury is consolidated at the sum of \$21,590 and the said corporation may borrow by a special issue of debentures a sum not exceeding \$22,500 for the purpose of paying the said floating debt.

Term of
debentures.

3. The said debentures shall be made payable in not more than twenty years from the date of the issue thereof and shall bear interest at a rate not exceeding five and one-half per centum per annum and may be issued either with or without coupons attached thereto for interest and shall be payable at such place or places as the corporation may deem expedient.

Type of
debentures.

4. The said debentures shall be payable in equal annual instalments of principal and interest, in such manner, and of such amounts that the amount payable for principal and interest in any year shall be equal as nearly as may be to

what is payable for principal and interest during each of the other years of the period within which the said debt is to be discharged.

5. The said corporation shall levy and collect in each year during the period within which the said debt is payable, in addition to all other rates, a special rate sufficient to produce and pay the annual instalments of principal and interest falling due upon the said debentures.

Special rate
to retire
debentures.

6. The said debentures and all moneys arising from the sale thereof shall be applied in payment of the said floating debt, and for no other purpose.

Application
of
debenture
proceeds.

7. It shall not be necessary to obtain the assent of the electors of the said town qualified to vote on money by-laws to the passing of any by-law which shall be passed under the authority of this Act or to observe the formalities in relation thereto prescribed by *The Municipal Act*.

Assent of
electors not
necessary.

Rev. Stat.,
c. 233.

8. No irregularity in the form of the said debentures, or any of them, or of any by-law authorizing the issue thereof, shall render the same invalid or illegal, or be allowed as a defence to any action brought against the said corporation for the recovery of the said debentures or interest or any part thereof; and the purchaser or holder thereof shall not be bound to enquire as to the necessity of passing such by-law or issuing debentures or as to the application of the proceeds thereof.

Irregulari-
ties not to
invalidate.

9. It shall be the duty of the treasurer for the time being, of the said town, to keep, and it shall be the duty of each of the members, from time to time, of the council to procure such treasurer to keep, and see that he does keep, a proper book of account, setting forth a full and particular statement, so that the same shall at all times show the number of debentures which from time to time shall be issued under the powers conferred by this Act, and the respective amounts payment of which is thereby secured, and the times at which the said debentures shall respectively become due and payable, and the several amounts which shall, from time to time, be realized from the sales or negotiations of the said debentures and the application which shall, from time to time, be made of the said amounts; and the said book of account and statement shall at all times, and at all reasonable hours, be open to the inspection of any ratepayer of the said town, and of any of the holders, from time to time, of the debentures which shall be issued under the powers hereby conferred, or any of such debentures.

Treasurer
to keep
books.

Tax sales
and
conveyances
confirmed.

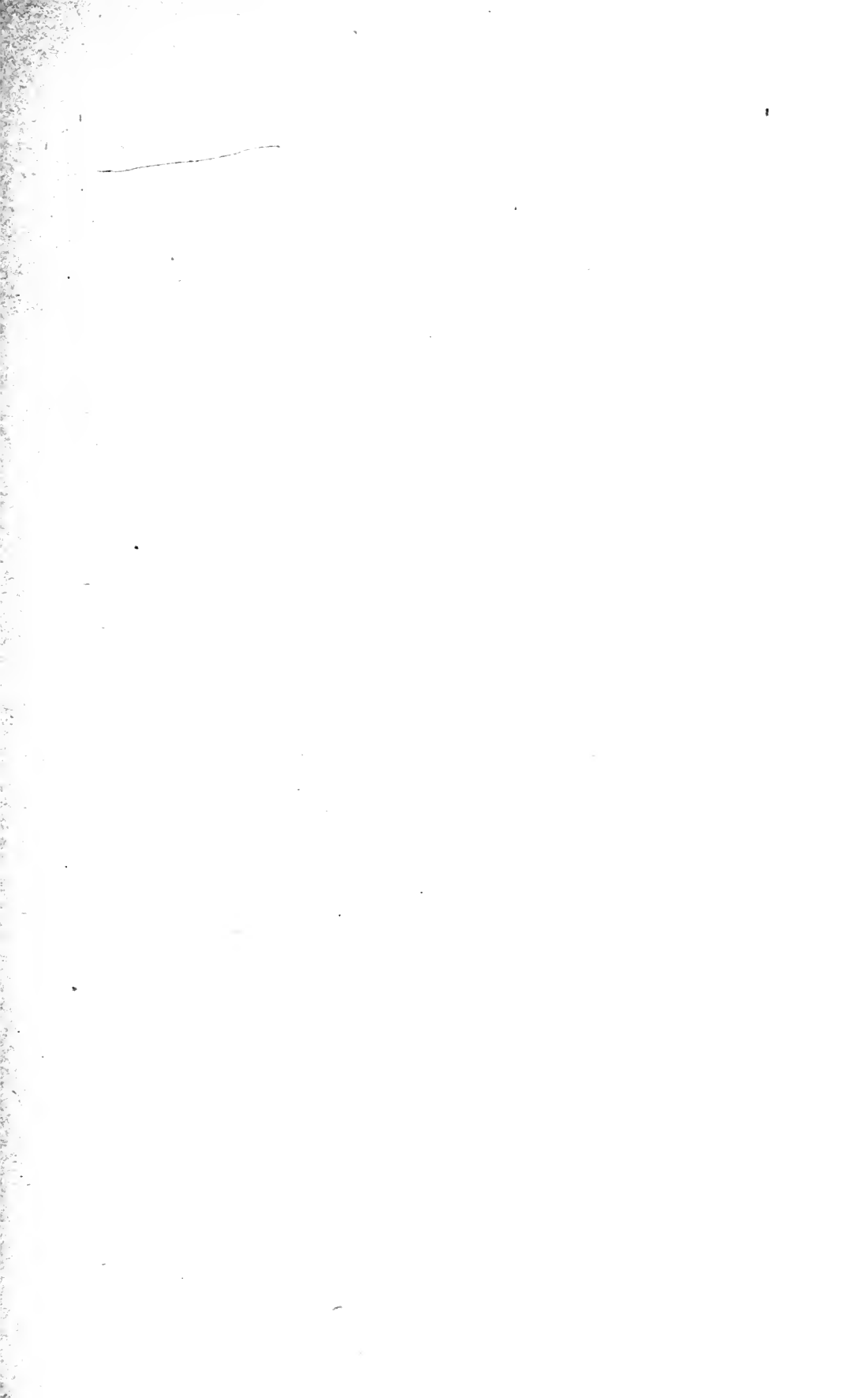
10.—(1) All sales of land in the said town made prior to the 31st day of December, 1929, and which purport to be made by the said corporation or its treasurer for arrears of taxes in respect of lands so sold are hereby validated and confirmed and all conveyances of land so sold executed by the mayor and treasurer of the said town, purporting to convey the said lands so sold to the purchaser or his heirs or assigns or to the said corporation are hereby validated and confirmed, and shall have the effect of vesting the lands so sold and conveyed, or purported to be sold and conveyed, and the same are hereby vested in the purchaser or his heirs or assigns and his or their heirs and assigns or in the said corporation and its successors and assigns as the case may be, in fee simple, free and clear of and from all right, title and interest whatsoever of the owners thereof at the time of such sale, or their assigns, and of all charges and encumbrances thereon and dower therein, except taxes accruing since those for non-payment of which the said lands were sold.

Pending
litigation.

(2) Nothing in this section contained shall affect any action, litigation or other proceeding now pending, but the same may be proceeded with and finally adjudicated upon in the same manner and to the same extent as if this section had not been passed.

Commence-
ment of Act.

11. The provisions of this Act other than section 10 shall come into force on the day upon which it receives the Royal Assent. Section 10 shall come into force on the 1st day of July, 1931.



BILL

An Act respecting the Town of
Hawkesbury.

1st Reading

March 10th, 1931

2nd Reading

March 20th, 1931

3rd Reading

March 25th, 1931

MR. COTE

2ND SESSION, 18TH LEGISLATURE, ONTARIO

21 GEORGE V, 1931

BILL

An Act respecting the Town of LaSalle.

MR. REID (Windsor West)

(PRIVATE BILL)

TORONTO

PRINTED BY HERBERT H. BALL

PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

No. 49

1931

BILL

An Act respecting the Town of LaSalle.

Preamble.

WHEREAS the corporation of the town of LaSalle, has by its petition represented that it is desirable to confirm its by-laws numbered 135, 168 and 175, authorizing the construction of certain works as local improvements and the payment of the cost thereof by the issue of debentures and to confirm such debentures; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario enacts as follows:—

Short title.

1. This Act may be cited as *The Town of LaSalle Act, 1931*.

By-law
No. 135,
confirmed.

2. By-law number 135 of the corporation of the town of Lasalle passed on the 14th day of May, 1929 to authorize the construction of sheet-piling on both sides and to clean out and improve the dredge-cut from a point opposite the westerly limit of lots 8 and 50 according to plan 621 to the westerly limit of plan 621 as a local improvement under the provisions of *The Local Improvement Act*, is hereby ratified and confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof.

Rev. Stat.,
c. 235.

By-law
No. 168
confirmed.

3. By-law number 168 of the said corporation passed on the 10th day of November, 1930, to authorize the construction of raising the grade, sheet-piling and improving Wahnita Avenue from lot 24, plan 621 to the Detroit River as a local improvement under the provisions of *The Local Improvement Act*, is hereby ratified and confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof.

Rev. Stat.,
c. 235.

By-law
No. 175
and
debentures
confirmed.

4. By-law number 175 of the said corporation to provide for borrowing \$42,244.06 upon debentures to pay for the construction of the said several works constructed under the authority of said by-laws numbers 135 and 168, and the debentures to be issued thereunder, are hereby ratified and con-

firmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof.

Commence-
ment of Act.

5. This Act shall come into force on the day upon which it receives the Royal Assent.



BILL

An Act respecting the Town of LaSalle.

1st Reading

2nd Reading

3rd Reading

MR. REID (Windsor West)

(Private Bill)

2ND SESSION, 18TH LEGISLATURE, ONTARIO
21 GEORGE V, 1931

BILL

An Act respecting the Town of LaSalle.

MR. REID (Windsor West)

No. 49

1931

BILL

An Act respecting the Town of LaSalle.

Preamble.

WHEREAS the corporation of the town of LaSalle, has by its petition represented that it is desirable to confirm its by-laws numbered 135, 168 and 175, authorizing the construction of certain works as local improvements and the payment of the cost thereof by the issue of debentures and to confirm such debentures; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario enacts as follows:—

Short title.

1. This Act may be cited as *The Town of LaSalle Act, 1931*.

By-law
No. 135,
confirmed.

2. By-law number 135 of the corporation of the town of Lasalle passed on the 14th day of May, 1929 to authorize the construction of sheet-piling on both sides and to clean out and improve the dredge-cut from a point opposite the westerly limit of lots 8 and 50 according to plan 621 to the westerly limit of plan 621 as a local improvement under the provisions of *The Local Improvement Act*, is hereby ratified and confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof.

Rev. Stat.,
c. 235.By-law
No. 168
confirmed.

3. By-law number 168 of the said corporation passed on the 10th day of November, 1930, to authorize the construction of raising the grade, sheet-piling and improving Wahnita Avenue from lot 24, plan 621 to the Detroit River as a local improvement under the provisions of *The Local Improvement Act*, is hereby ratified and confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof.

Rev. Stat.,
c. 235.By-law
No. 175
and
debentures
confirmed.

4. By-law number 175 of the said corporation to provide for borrowing \$42,244.06 upon debentures to pay for the construction of the said several works constructed under the authority of said by-laws numbers 135 and 168, and the debentures to be issued thereunder, are hereby ratified and con-

firmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof.

5. This Act shall come into force on the day upon which it receives the Royal Assent. Commence-
ment of Act.

BILL

An Act respecting the Town of LaSalle.

1st Reading

February 17th, 1931

2nd Reading

March 11th, 1931

3rd Reading

March 16th, 1931

MR. REID (Windsor West)

2ND SESSION, 18TH LEGISLATURE, ONTARIO

21 GEORGE V, 1931

BILL

An Act respecting the Essex Border Utilities Commission.

MR. WILSON (Windsor)

TORONTO

PRINTED BY HERBERT H. BALL

PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

No. 50

1931

BILL

An Act respecting the Essex Border Utilities Commission.

Preamble.

WHEREAS the Essex Border Utilities Commission has by its petition represented that it is desirable that it should have power to construct and operate a sanatorium for consumptives and that *The Consolidated Essex Border Utilities Act, 1929* may be amended to authorize the commission by by-law to pay its members for attendance and to declare that the said commission is subject to the provisions of certain sections of *The Public Health Act*; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Essex Border Utilities Act, 1931*.

1929,
c. 98, s. 3,
subs. 6,
para. (h),
repealed.

2. Paragraph *h* of subsection 6 of section 3 of *The Consolidated Essex Border Utilities Act, 1929* is repealed and the following substituted therefor:

Payment
of
members.

(h) The commission may by by-law provide for paying the members for their actual attendance at meetings thereof or of its committees at a rate not exceeding \$10 for any one day, but not more than \$150 in any one year.

1929,
c. 98, s. 26,
amended

3. Section 26 of said Act is amended by adding thereto the following subsection:

Commission
may estab-
lish a sana-
torium.

(4) (a) The establishment, maintenance and management of a sanatorium for consumptives is hereby declared to be a work authorized under this Act and the commission shall have and is hereby vested with the power of a municipality under *The Sanatoria for Consumptives Act*.

Rev. Stat.,
c. 357.

Apportion-
ment of cost.

(b) The cost shall be apportioned by procedure under sections 13, 14, 20 and 21 of this Act, in other

respects the procedure shall be under *The Sanatoria for Consumptives Act*.

Commission
as trustees
of
sanatorium.

- (c) The commission shall constitute and be the trustees forming the corporation of the sanatorium instead of those provided for by section 9 of *The Sanatoria for Consumptives Act*.

1929,
c. 98, s. 29,
amended.

4. Section 29 of the said Act is amended by adding thereto the following subsection :

Commission
to be
subject to
Department
of Public
Health.

- (3) The provisions of sections 96 to 99 inclusive of *The Public Health Act*, are hereby declared to apply to the commission to the same extent as to the corporation or council of a municipality.

Rev. Stat.,
c. 262.

Commence-
ment of Act.

5. This Act shall come into force on the day upon which it receives the Royal Assent.

BILL

An Act respecting the Essex Border Utilities Commission.

1st Reading

2nd Reading

3rd Reading

MR. WILSON (Windsor)

2ND SESSION, 18TH LEGISLATURE, ONTARIO

21 GEORGE V, 1931

BILL

An Act respecting the Essex Border Utilities Commission.

MR. WILSON (Windsor)

TORONTO

PRINTED BY HERBERT H. BALL

PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

No. 50

1931

BILL

An Act respecting the Essex Border Utilities Commission.

Preamble.

WHEREAS the Essex Border Utilities Commission has by its petition represented that it is desirable that it should have power to construct and operate a sanatorium for consumptives and that *The Consolidated Essex Border Utilities Act, 1929* may be amended to authorize the commission by by-law to pay its members for attendance and to declare that the said commission is subject to the provisions of certain sections of *The Public Health Act*; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Essex Border Utilities Act, 1931*.

1929,
c. 98, s. 3,
subs. 6,
para. (h),
repealed.

2. Paragraph *h* of subsection 6 of section 3 of *The Consolidated Essex Border Utilities Act, 1929* is repealed and the following substituted therefor:

Payment
of
members.

(*h*) The commission may by by-law provide for paying the members for their actual attendance at meetings thereof or of its committees at a rate not exceeding \$10 for any one day, but not more than \$150 in any one year.

1929,
c. 98, s. 26,
amended

3. Section 26 of said Act is amended by adding thereto the following subsection:

Commission
may estab-
lish a sana-
torium.

Rev. Stat.,
c. 357.

(4) (*a*) The establishment, maintenance and management of a sanatorium for consumptives is hereby declared to be a work authorized under this Act and the commission shall have and is hereby vested with the power of a municipality under *The Sanatoria for Consumptives Act*.

Apportion-
ment of cost.


(*b*) The cost shall be apportioned by procedure under sections 13, 14, 20 and 21 of this Act, in other

respects the procedure shall be under *The Sanatoria for Consumptives Act*.

Commission
as trustees
of
sanatorium.

- (c) The commission shall constitute and *shall* be the corporation *for* the sanatorium instead of *that* provided for by section 9 of *The Sanatoria for Consumptives Act*.

Consents
to be
obtained.

- (d) The provisional by-law for the construction of the sanatorium required by section 4 of *The Sanatoria for Consumptives Act* shall only be passed after obtaining the consent by resolution of a majority of the municipal councils of the Essex Border municipalities or of councils of the said municipalities which in the aggregate are charged with more than one-half of the total estimated cost set out in the engineer's report. 

1929,
c. 98, s. 29,
amended.

4. Section 29 of the said Act is amended by adding thereto the following subsection:

Commission
to be
subject to
Department
of Public
Health.

- (3) The provisions of sections 96, 97, 98 and 99 of *The Public Health Act*, are hereby declared to apply to the commission to the same extent as to the corporation or council of a municipality.

Rev. Stat.,
c. 262.

Commence-
ment of Act.

5. This Act shall come into force on the day upon which it receives the Royal Assent.

BILL

An Act respecting the Essex Border
Utilities Commission.

1st Reading

February 17th, 1931

2nd Reading

3rd Reading

MR. WILSON (Windsor)

*(Reprinted as amended by the Private
Bills Committee)*

No. 50

2ND SESSION, 18TH LEGISLATURE, ONTARIO
21 GEORGE V, 1931

BILL

An Act respecting the Essex Border Utilities Commission.

MR. WILSON (Windsor)

TORONTO
PRINTED BY HERBERT H. BALL
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

No. 50

1931

BILL

An Act respecting the Essex Border Utilities Commission.

Preamble.

WHEREAS the Essex Border Utilities Commission has by its petition represented that it is desirable that it should have power to construct and operate a sanatorium for consumptives and that *The Consolidated Essex Border Utilities Act, 1929* may be amended to authorize the commission by by-law to pay its members for attendance and to declare that the said commission may establish a sanatorium for consumptives; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Essex Border Utilities Act, 1931*.

1929,
c. 98, s. 3,
subs. 6,
para. (h),
repealed.

2. Paragraph *h* of subsection 6 of section 3 of *The Consolidated Essex Border Utilities Act, 1929* is repealed and the following substituted therefor:

Payment
of
members.

(h) The commission may by by-law provide for paying the members for their actual attendance at meetings thereof or of its committees at a rate not exceeding \$10 for any one day, but not more than \$150 in any one year.

1929,
c. 98, s. 26,
amended

3. Section 26 of said Act is amended by adding thereto the following subsection:

Commission
may estab-
lish a sana-
torium.

(4) (a) The establishment, maintenance and management of a sanatorium for consumptives is hereby declared to be a work authorized under this Act and the commission shall have and is hereby vested with the power of a municipality under *The Sanatoria for Consumptives Act, 1931*.

1931, c. 76.

Apportion-
ment of cost.

(b) The cost shall be apportioned by procedure under sections 13, 14, 20 and 21 of this Act, in other

respects the procedure shall be under *The Sanatoria for Consumptives Act, 1931*.

- (c) The commission shall constitute and shall be the corporation for the sanatorium instead of that provided for by sections 17 to 20 of *The Sanatoria for Consumptives Act, 1931*. ^{Commission as trustees of sanatorium.}

- (d) The by-law for the construction of the sanatorium required by *The Sanatoria for Consumptives Act, 1931*, shall only be passed after obtaining the consent by resolution of a majority of the municipal councils of the Essex Border municipalities or of councils of the said municipalities which in the aggregate are charged with more than one-half of the total estimated cost set out in the engineer's report. ^{Consents to be obtained.}

4. This Act shall come into force on the day upon which it receives the Royal Assent. ^{Commencement of Act.}

BILL

An Act respecting the Essex Border
Utilities Commission.

1st Reading

February 17th, 1931

2nd Reading

March 25th, 1931

3rd Reading

March 27th, 1931

MR. WILSON (Windsor)

No. 51

2ND SESSION, 18TH LEGISLATURE, ONTARIO

21 GEORGE V, 1931

BILL

An Act respecting the Town of Renfrew.

MR. CRAIG

(PRIVATE BILL)

TORONTO

PRINTED BY HERBERT H. BALL

PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

BILL

An Act respecting the Town of Renfrew.

Preamble.

WHEREAS the corporation of the town of Renfrew has by its petition represented that it has incurred a floating debt of \$65,000 which has arisen by reason of insufficient levies for a number of years past to pay for permanent improvements such as the construction of permanent roadways, the repairs and improvements to municipal buildings and other unforeseen expenditures, and that to liquidate the said floating indebtedness forthwith and to pay in addition thereto the ordinary annual expenditures would be unduly oppressive to the ratepayers of said town; and whereas the said corporation has prayed that the said floating debt be consolidated and that the said corporation be authorized to borrow by the issue of debentures sufficient money to discharge said floating debt; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Town of Renfrew Act, 1931*.

Debentures
for floating
debt.

2. The floating debt of the corporation of the town of Renfrew is consolidated at the sum of \$65,000 and the said corporation may borrow by a special issue of debentures a sum not exceeding \$65,000 for the purpose of paying the said floating debt.

Term of
debentures.

3. The said debentures shall be made payable in not more than twenty years from the date of issue thereof, and shall bear interest at a rate not exceeding six per centum per annum, and may be issued either with or without coupons attached thereto for interest, and shall be payable at such place or places as the corporation may deem expedient.

Type of
debentures.

4. The said debentures shall be payable in equal annual instalments of principal and interest, in such manner and of such amounts that the amount payable for principal and interest in any year shall be equal as nearly as may be to

the amount payable for principal and interest during each of the other years of the period within which the said debt is to be discharged.

Special rate
to retire
debentures.

5. The said corporation shall levy and collect in each year during the period in which the said debt is payable, in addition to all other rates, a special rate sufficient to produce and pay the annual instalments of principal and interest falling due upon the said debentures.

Application
of proceeds
of debentures.

6. The debentures and all moneys arising from the sale thereof shall be applied in payment of the said floating debt and for no other purpose.

Assent of
electors not
necessary.

7. It shall not be necessary to obtain the assent of the electors of the said town qualified to vote on money by-laws to the passing of any by-law which shall be passed under the authority of this Act, or to observe the formalities in relation thereto prescribed by *The Municipal Act*.

Rev. Stat.
c. 233.

Irregularities
not to
invalidate.

8. No irregularity in the form of the said debentures or any of them, or of any by-law authorizing the issue thereof shall render the same invalid or illegal, or be allowed as a defence to any action brought against the said corporation for the recovery of the said debentures or interest or any part thereof; and the purchaser or holder thereof shall not be bound to enquire as to the necessity of passing such by-law or issuing debentures or as to the application of the proceeds thereof.

Treasurer to
keep books.

9. It shall be the duty of the treasurer, for the time being, of the said town, to keep, and it shall be the duty of each of the members, from time to time, of the council to procure such treasurer to keep, and see that he does keep, a proper book of account, setting forth a full and particular statement, so that the same shall at all times show the number of debentures which from time to time shall be issued under the powers conferred by this Act, and the respective amounts, payment of which is thereby secured, and the times at which the said debentures shall respectively become due and payable, and the several amounts which shall, from time to time be realized from the sales or negotiations of the said debentures, and the application which shall, from time to time, be made of the said amounts and the said book of account and statement shall at all times, and at all reasonable hours, be open to the inspection of any ratepayer of the said town, and of any of the holders, from time to time, of the debentures which shall be issued under the powers hereby conferred, or any of such debentures.

Commence-
ment of Act.

10. This Act shall come into force on the day upon which it receives the Royal Assent.

BILL

An Act respecting the Town of Renfrew.

1st Reading

2nd Reading

3rd Reading

MR. CRAIG

(*Private Bill*)

No. 51

2ND SESSION, 18TH LEGISLATURE, ONTARIO

21 GEORGE V, 1931

BILL

An Act respecting the Town of Renfrew.

MR. CRAIG

TORONTO

PRINTED BY HERBERT H. BALL

PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

No. 51

1931

BILL

An Act respecting the Town of Renfrew.

Preamble.

WHEREAS the corporation of the town of Renfrew has by its petition represented that it has incurred a floating debt of \$65,000 which has arisen by reason of insufficient levies for a number of years past to pay for permanent improvements such as the construction of permanent roadways, the repairs and improvements to municipal buildings and other unforeseen expenditures, and that to liquidate the said floating indebtedness forthwith and to pay in addition thereto the ordinary annual expenditures would be unduly oppressive to the ratepayers of said town; and whereas the said corporation has prayed that the said floating debt be consolidated and that the said corporation be authorized to borrow by the issue of debentures sufficient money to discharge said floating debt; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Town of Renfrew Act, 1931*.

Debentures
for floating
debt.

2. The floating debt of the corporation of the town of Renfrew is consolidated at the sum of \$65,000 and the said corporation may borrow by a special issue of debentures a sum not exceeding \$65,000 for the purpose of paying the said floating debt.

Term of
debentures.

3. The said debentures shall be made payable in not more than fifteen years from the date of issue thereof, and shall bear interest at a rate not exceeding six per centum per annum, and may be issued either with or without coupons attached thereto for interest, and shall be payable at such place or places as the corporation may deem expedient.

Type of
debentures.

4. The said debentures shall be payable in equal annual instalments of principal and interest, in such manner and of such amounts that the amount payable for principal and interest in any year shall be equal as nearly as may be to

the amount payable for principal and interest during each of the other years of the period within which the said debt is to be discharged.

5. The said corporation shall levy and collect in each year during the period in which the said debt is payable, in addition to all other rates, a special rate sufficient to produce and pay the annual instalments of principal and interest falling due upon the said debentures.

Special rate to retire debentures.

6. The debentures and all moneys arising from the sale thereof shall be applied in payment of the said floating debt and for no other purpose.

Application of proceeds of debentures.

7. It shall not be necessary to obtain the assent of the electors of the said town qualified to vote on money by-laws to the passing of any by-law which shall be passed under the authority of this Act, or to observe the formalities in relation thereto prescribed by *The Municipal Act*.

Assent of electors not necessary.
Rev. Stat. c. 233.

8. No irregularity in the form of the said debentures or any of them, or of any by-law authorizing the issue thereof shall render the same invalid or illegal, or be allowed as a defence to any action brought against the said corporation for the recovery of the said debentures or interest or any part thereof; and the purchaser or holder thereof shall not be bound to enquire as to the necessity of passing such by-law or issuing debentures or as to the application of the proceeds thereof.

Irregularities not to invalidate.

9. It shall be the duty of the treasurer, for the time being, of the said town, to keep, and it shall be the duty of each of the members, from time to time, of the council to procure such treasurer to keep, and see that he does keep, a proper book of account, setting forth a full and particular statement, so that the same shall at all times show the number of debentures which from time to time shall be issued under the powers conferred by this Act, and the respective amounts, payment of which is thereby secured, and the times at which the said debentures shall respectively become due and payable, and the several amounts which shall, from time to time be realized from the sales or negotiations of the said debentures, and the application which shall, from time to time, be made of the said amounts and the said book of account and statement shall at all times, and at all reasonable hours, be open to the inspection of any ratepayer of the said town, and of any of the holders, from time to time, of the debentures which shall be issued under the powers hereby conferred, or any of such debentures.

Treasurer to keep books.

10. This Act shall come into force on the day upon which it receives the Royal Assent.

Commencement of Act.

BILL

An Act respecting the Town of Renfrew.

1st Reading

March 10th, 1931

2nd Reading

March 20th, 1931

3rd Reading

March 25th, 1931

MR. CRAIG

No. 52

2ND SESSION, 18TH LEGISLATURE, ONTARIO

21 GEORGE V, 1931

BILL

An Act respecting the Village of Marmora.

MR. HILL

(PRIVATE BILL)

TORONTO

PRINTED BY HERBERT H. BALL

PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

No. 52

1931

BILL

An Act respecting the Village of Marmora.

Preamble.

WHEREAS the corporation of the village of Marmora has, by petition, represented that it has incurred a floating debt amounting to \$12,000 which has accumulated over a period of years, and which has been created in part by inability to collect certain taxes a considerable portion of which is not now collectible, the payment of large amounts of interest and from other causes, and that it would be unduly oppressive to the ratepayers of said village to pay off the said floating debt forthwith and to pay in addition thereto the ordinary annual expenditures; and whereas the said corporation has prayed that the said floating debt be consolidated and that the said corporation be authorized to borrow by the issue of debentures sufficient money to discharge said floating debt; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario enacts as follows:

Short title.

1. This Act may be cited as *The Village of Marmora Act, 1931.*

Debentures
for floating
debt.

2. The floating debt of the corporation of the village of Marmora is consolidated at the sum of \$12,000 and the said corporation may pass a by-law to borrow by a special issue of debentures a sum not exceeding \$12,000 for the purpose of paying the said floating debt.

Term of
debentures.

3. The said debentures shall be made payable in not more than twenty years from the date of issue thereof, and shall bear interest at a rate not exceeding six per centum per annum, and may be issued with or without coupons attached thereto for interest, and shall be payable at such place or places as the corporation may deem expedient.

Type of
debentures.

4. The said debentures shall be payable in equal annual instalments of principal and interest, in such manner and of

such amounts that the amounts payable for principal and interest in any year shall be equal as nearly as may be to the amount payable for principal and interest during each of the other years of the period within which the debt is to be discharged.

Special rate
to retire
debentures.

5. The said corporation shall levy in each year during the period within which the said debt is payable, in addition to all other rates, a special rate sufficient to produce and pay the annual instalments of principal and interest falling due upon the said debentures.

Application
of proceeds
of debentures.

6. The said debentures and all monies arising from the sale thereof shall be applied by the said corporation in payment of the said floating debt and for no other purpose.

Assent of
electors not
necessary.

7. It shall not be necessary to obtain the assent of the electors of the said village qualified to vote on money by-laws to the passing of any by-law which may be passed under the authority of this Act, or to observe the formalities in relation thereto prescribed by *The Municipal Act*.

Rev. Stat.
c. 233.

Irregularities
not to
invalidate.

8. No irregularity in the form of the said debentures, or any of them, or of any by-law authorizing the issue thereof shall render the same invalid or illegal, or be allowed as a defence to any action brought against the said corporation for the recovery of the payment of the said debentures or interest, or any part thereof, and the purchaser or holder thereof shall not be bound to enquire as to the necessity of passing such by-law or issuing debentures or as to the application of the proceeds thereof.

Treasurer to
keep books.

9. It shall be the duty of the treasurer for the time being, of the said village, to keep, and it shall be the duty of each of the members, from time to time, of the council to procure such treasurer to keep, and see that he does keep, a proper book of account, setting forth a full and particular statement, so that the same shall at all times show the number of debentures which from time to time shall be issued under the powers conferred by this Act, and the respective amounts payment of which is thereby secured, and the times at which the said debentures shall respectively become due and payable, and the several amounts which shall, from time to time, be realized from the sales or negotiations of the said debentures and the application which shall, from time to time be made of the said amounts; and the said book of account and statement shall at all times, and at all reasonable hours, be open to the inspection of any ratepayer of the said village, and of any of the holders, from time to

time, of the debentures which shall be issued under the powers hereby conferred, or any of such debentures.

Commence-
ment of Act. **10.** This Act shall come into force on the day upon which it receives the Royal Assent.

BILL

An Act respecting the Village of Marmora

1st Reading

2nd Reading

3rd Reading

MR. HILL

(Private Bill)

No. 52

2ND SESSION, 18TH LEGISLATURE, ONTARIO

21 GEORGE V, 1931

BILL

An Act respecting the Village of Marmora.

MR. HILL

TORONTO

PRINTED BY HERBERT H. BALL

PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

No. 52

1931

BILL

An Act respecting the Village of Marmora.

Preamble.

WHEREAS the corporation of the village of Marmora has, by petition, represented that it has incurred a floating debt amounting to \$12,000 which has accumulated over a period of years, and which has been created in part by inability to collect certain taxes a considerable portion of which is not now collectible, the payment of large amounts of interest and from other causes, and that it would be unduly oppressive to the ratepayers of said village to pay off the said floating debt forthwith and to pay in addition thereto the ordinary annual expenditures; and whereas the said corporation has prayed that the said floating debt be consolidated and that the said corporation be authorized to borrow by the issue of debentures sufficient money to discharge said floating debt; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario enacts as follows:

Short title.

1. This Act may be cited as *The Village of Marmora Act, 1931*.

Debentures
for floating
debt.

2. The floating debt of the corporation of the village of Marmora is consolidated at the sum of \$12,000 and the said corporation may pass a by-law to borrow by a special issue of debentures a sum not exceeding \$12,000 for the purpose of paying the said floating debt.

Term of
debentures.

3. The said debentures shall be made payable in not more than fifteen years from the date of issue thereof, and shall bear interest at a rate not exceeding six per centum per annum, and may be issued with or without coupons attached thereto for interest, and shall be payable at such place or places as the corporation may deem expedient.

Type of
debentures.

4. The said debentures shall be payable in equal annual instalments of principal and interest, in such manner and of

such amounts that the amounts payable for principal and interest in any year shall be equal as nearly as may be to the amount payable for principal and interest during each of the other years of the period within which the debt is to be discharged.

5. The said corporation shall levy in each year during the period within which the said debt is payable, in addition to all other rates, a special rate sufficient to produce and pay the annual instalments of principal and interest falling due upon the said debentures. Special rate to retire debentures.

6. The said debentures and all monies arising from the sale thereof shall be applied by the said corporation in payment of the said floating debt and for no other purpose. Application of proceeds of debentures.

7. It shall not be necessary to obtain the assent of the electors of the said village qualified to vote on money by-laws to the passing of any by-law which may be passed under the authority of this Act, or to observe the formalities in relation thereto prescribed by *The Municipal Act*. Assent of electors not necessary. Rev. Stat. c. 233.

8. No irregularity in the form of the said debentures, or any of them, or of any by-law authorizing the issue thereof shall render the same invalid or illegal, or be allowed as a defence to any action brought against the said corporation for the recovery of the payment of the said debentures or interest, or any part thereof, and the purchaser or holder thereof shall not be bound to enquire as to the necessity of passing such by-law or issuing debentures or as to the application of the proceeds thereof. Irregularities not to invalidate.

9. It shall be the duty of the treasurer for the time being, of the said village, to keep, and it shall be the duty of each of the members, from time to time, of the council to procure such treasurer to keep, and see that he does keep, a proper book of account, setting forth a full and particular statement, so that the same shall at all times show the number of debentures which from time to time shall be issued under the powers conferred by this Act, and the respective amounts payment of which is thereby secured, and the times at which the said debentures shall respectively become due and payable, and the several amounts which shall, from time to time, be realized from the sales or negotiations of the said debentures and the application which shall, from time to time be made of the said amounts; and the said book of account and statement shall at all times, and at all reasonable hours, be open to the inspection of any ratepayer of the said village, and of any of the holders, from time to Treasurer to keep books.

time, of the debentures which shall be issued under the powers hereby conferred, or any of such debentures.

Commence-
ment of Act. **10.** This Act shall come into force on the day upon which it receives the Royal Assent.

BILL

An Act respecting the Village of Marmora

1st Reading

February 23rd, 1931

2nd Reading

March 11th, 1931

3rd Reading

March 16th, 1931

MR. HILL

2ND SESSION, 18TH LEGISLATURE, ONTARIO
21 GEORGE V, 1931

BILL

An Act respecting the City of Windsor.

MR. WILSON (Windsor).

(PRIVATE BILL)

BILL

An Act respecting the City of Windsor.

Preamble.

WHEREAS the corporation of the city of Windsor has by its petition prayed for special legislation as herein-after provided; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.

1. This Act may be cited as *The City of Windsor Act, 1931*.

By-law No. 4001 and debentures confirmed.

2. By-law No. 4001 of the corporation of the city of Windsor, passed on the 30th day of June, 1930, for borrowing \$87,686.49 upon debentures to pay for the construction of a street in extension of Tuscarora street, and the debentures issued or to be issued under the provisions thereof, are hereby ratified and confirmed and declared to be legal, valid and binding, upon the said corporation and ratepayers thereof.

Agreement with county for court house or joint court house and city hall.

3.—(1) The corporation of the county of Essex and the corporation of the city of Windsor may agree:

Site.

(a) To acquire land within the said city at the expense of the corporation of the said city for the purpose of erecting thereon a new county court house for the said county or buildings for the joint use of the corporations of the said county and city for municipal and judicial purposes;

Building.

(b) For the erection, maintenance, use, management and control of such building or buildings;

Distribution of cost.

(c) For fixing the amount which each of said corporations shall pay or contribute for such purpose;

Sale of property, etc.

(d) For the subsequent disposition of such land and buildings and of any insurance or other money that may be received in respect thereof;

By-laws. and may pass all such by-laws as may from time to time to necessary for acquiring the land and carrying out the agreement.

Debentures. (2) The corporation of the said city may by the issue and sale of debentures, payable within twenty years from the date thereof, borrow a sum not exceeding \$75,000 to defray the cost of any land acquired under this section, and may by the issue and sale of debentures, payable within forty years from the date thereof, borrow a sum not exceeding \$400,000 to defray the said corporation's share of the cost of erecting a joint building or buildings by reason of the proposed use of the said building or buildings or of portions thereof for municipal purposes of the said corporation, and may pass all such by-laws as may be necessary for the said purposes or either of them.

Assent of electors not requisite. (3) It shall not be necessary for the corporation of the said city to obtain the assent of the electors of the said city qualified to vote on money by-laws to the passing of any of the by-laws authorized by this section.

Subways. 4. The said corporation may from time to time construct any subway or other work within the municipality which may be authorized or ordered by the Board of Railway Commissioners for Canada and may pass a by-law or by-laws for borrowing such sum or sums as may be necessary to defray the cost of any such work or works by the issue of debentures; and it shall not be necessary that any by-law passed pursuant to this section be submitted for the assent of the electors of the said city qualified to vote on money by-laws, but every such by-law subsequent to its passage shall be approved by the Railway and Municipal Board.

Authority to acquire industrial sites and to sell and lease same. 5.—(1) The said corporation may, from time to time, without submitting the same to the electors qualified to vote on money by-laws, pass by-laws for acquiring and expropriating lands within the said city and lands in the townships of Sandwich East and Sandwich West and for selling or leasing the same for the purpose of sites for the establishment and carrying on of industries and industrial operations and for borrowing a sum or sums not exceeding in the aggregate \$300,000 by the issue of debentures, payable at any time or times within a period not exceeding thirty years from the date thereof, for paying the cost of the lands acquired or to be acquired for the said purposes.

Fixed assessments. (2) The said corporation may also provide by by-law for the granting of fixed assessments to industries with respect to lands within the said city sold as industrial sites for a period

not to exceed ten years without submitting the same to the electors of the said city qualified to vote on money by-laws.

Application
of proceeds
of sale and
rentals.

(3) All moneys received from sales and rentals of the lands aforesaid shall be applied in payment in whole or in part of any annual instalment or instalments of any debt incurred under this section or in the purchase for cancellation of any general debentures of the said corporation.

Necessary
by-laws
authorized.

1929, c. 59.

(4) The said corporation is hereby authorized to pass the necessary by-laws for the carrying out of the provisions above set forth and the provisions of *The Industrial Sites Act, 1929*, save as hereby varied and not inconsistent with the provisions of this section, shall apply to the said lands.

Authority
for debentures for un-
employment
relief works.

6. The said corporation may, from time to time, without submitting the same to the electors of the said city qualified to vote on money by-laws, provide by by-law for the borrowing of a sum or sums not exceeding in the aggregate \$150,000, by the issue of debentures to defray the cost to the said corporation of works undertaken by it to provide relief for unemployment.

Tax
sales and
conveyances
confirmed.

7.—(1) All sales of lands within the said city made prior to the 31st day of December, 1929, which purport to have been made by the said corporation or its treasurer, for arrears of taxes in respect to the lands so sold are hereby validated and confirmed and all conveyances of land so sold executed by the mayor, treasurer and clerk of the said city, purporting to convey the said lands so sold to the purchaser thereof or his heirs or assigns or to the said corporation shall have the effect of vesting the lands so sold in the purchaser or his heirs or assigns and his or their heirs and assigns or in the said corporation and its successors and assigns, as the case may be, in fee simple and clear of and free from all right, title and interest whatsoever of the owners thereof at the time of said sale, or their assigns, and all charges and encumbrances thereon and dower therein, except taxes accruing after those for non-payment of which the lands were sold.

Pending
litigation.

(2) Nothing in this section contained shall affect or prejudice the rights of any person in litigation or other legal proceedings now pending.

Commence-
ment of Act.

8. This Act shall come into force on the day upon which it receives the Royal Assent.

BILL

An Act respecting the City of Windsor.

1st Reading

2nd Reading

3rd Reading

MR. WINSON (Windsor)

(Private Bill)

No. 53

2ND SESSION, 18TH LEGISLATURE, ONTARIO

21 GEORGE V, 1931

BILL

An Act respecting the City of Windsor.

MR. WILSON (Windsor).

TORONTO

PRINTED BY HERBERT H. BALL

PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

No. 53

1931

BILL

An Act respecting the City of Windsor.

Preamble.

WHEREAS the corporation of the city of Windsor has by its petition prayed for special legislation as herein-after provided; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.

1. This Act may be cited as *The City of Windsor Act, 1931*.

By-law No. 4001 and debentures confirmed.

2. By-law No. 4001 of the corporation of the city of Windsor, passed on the 30th day of June, 1930, for borrowing \$87,686.49 upon debentures to pay for the construction of a street in extension of Tuscarora street, and the debentures issued or to be issued under the provisions thereof, are hereby ratified and confirmed and declared to be legal, valid and binding, upon the said corporation and ratepayers thereof.

Authority to acquire industrial sites and to sell and lease same.

3.—(1) The said corporation may, from time to time, without submitting the same to the electors qualified to vote on money by-laws, pass by-laws for acquiring lands within the said city and lands in the townships of Sandwich East and Sandwich West and for selling or leasing the same for the purpose of sites for the establishment and carrying on of industries and industrial operations and for borrowing a sum or sums not exceeding in the aggregate \$300,000 by the issue of debentures, payable at any time or times within a period not exceeding thirty years from the date thereof, for paying the cost of the lands acquired or to be acquired for the said purposes.

Fixed assessments.

(2) The said corporation may also provide by by-law for the granting of fixed assessments to industries with respect to lands within the said city sold as industrial sites for a period not to exceed ten years without submitting the same to the electors of the said city qualified to vote on money by-laws.

(3) All moneys received from sales and rentals of the lands aforesaid shall be applied in payment in whole or in part of any annual instalment or instalments of any debt incurred under this section or in the purchase for cancellation of any general debentures of the said corporation.

Application of proceeds of sale and rentals.

(4) The said corporation is hereby authorized to pass the necessary by-laws for the carrying out of the provisions above set forth and the provisions of *The Industrial Sites Act, 1929*, save as hereby varied and not inconsistent with the provisions of this section, shall apply to the said lands.

Necessary by-laws authorized. 1929, c. 59.

(5) Any lands acquired in the townships of Sandwich East or Sandwich West for the purposes set out in this section shall, notwithstanding anything contained in *The Assessment Act*, be liable to assessment and taxation in the same manner and to the same extent as they would be if not owned by the corporation.

Land liable to assessment and taxation.

4. The said corporation may, from time to time, without submitting the same to the electors of the said city qualified to vote on money by-laws, provide by by-law for the borrowing of a sum or sums not exceeding in the aggregate \$150,000, by the issue of debentures to defray the cost to the said corporation of works undertaken by it to provide relief for unemployment.

Authority for debentures for unemployment relief works.

5.—(1) All sales of lands within the said city made prior to the 31st day of December, 1929, which purport to have been made by the said corporation or its treasurer, for arrears of taxes in respect to the lands so sold are hereby validated and confirmed and all conveyances of land so sold executed by the mayor, treasurer and clerk of the said city, purporting to convey the said lands so sold to the purchaser thereof or his heirs or assigns or to the said corporation shall have the effect of vesting the lands so sold in the purchaser or his heirs or assigns and his or their heirs and assigns or in the said corporation and its successors and assigns, as the case may be, in fee simple and clear of and free from all right, title and interest whatsoever of the owners thereof at the time of said sale, or their assigns, and all charges and encumbrances thereon and dower therein, except taxes accruing after those for non-payment of which the lands were sold.

Tax sales and conveyances confirmed.

(2) Nothing in this section contained shall affect or prejudice the rights of any person under any action, litigation or other proceeding now pending, but the same may be proceeded with and finally adjudicated upon in the same manner and as fully and effectually as if this Act had not been passed.

Pending litigation.

6. This Act, other than Section 5, shall come into force on the day upon which it receives the Royal Assent. Section 5 shall come into force on the 1st day of July, 1931.

Commencement of Act.

BILL

An Act respecting the City of Windsor.

1st Reading

February 26th, 1931

2nd Reading

March 11th, 1931

3rd Reading

March 16th, 1931

MR. WILSON (Windsor)

2ND SESSION, 18TH LEGISLATURE, ONTARIO
21 GEORGE V, 1931

BILL

An Act respecting the City Gas Company of London.

MR. WILSON (London)

(PRIVATE BILL)

No. 54

1931

BILL

An Act respecting the City Gas Company of London.

Preamble.

WHEREAS the City Gas Company of London has by its petition represented that by section 9 of an Act passed in the sixth year of the reign of His Majesty King Edward the Seventh, chaptered 129, and entitled *An Act respecting the City Gas Company of London*, it is provided that the said company may borrow on bonds or debentures any sum or sums not exceeding in the whole \$250,000, with power to borrow again any amount thereof paid off; and that by section 10 of the said Act it is further provided that no bond or debenture shall have priority or preference over another, and that notwithstanding any mortgage or charge made to secure such bonds or debentures the said company may, so long as there shall be no default in payment of the interest upon any of such borrowed money, sell any surplus lands or other property of the said company not then required for its use and give a good title thereto free from all encumbrances in respect of the money so borrowed; and that by section 11 of the said Act it is further provided that the total yearly value of the lands and real property to be held by the said company for the purpose of its business at any one time shall not (over and above the value of the works erected thereon) exceed \$10,000; and whereas the said company has by its petition prayed that an Act may be passed authorizing it to borrow without limitation as to amount, and repealing said sections 10 and 11 of the said Act, and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario enacts as follows:

Short title.

1. This Act may be cited as *The City Gas Company of London Act, 1931*.

1906, c. 129,
s. 9 repealed.

2. Section 9 of *An Act respecting the City Gas Company of London* passed in the sixth year of the reign of His Majesty

King Edward the Seventh, chaptered 129, is hereby repealed and the following substituted therefor:

Issue of
debentures
authorized.

9. It shall be lawful for the City Gas Company of London to borrow on the credit of the company any sum or sums at such rate of interest and upon such terms and conditions as the company may deem advisable and to issue bonds, debentures, securities or other evidences of indebtedness therefor, and to secure the moneys so borrowed and any such debentures, bonds, securities or other evidences of indebtedness as the company may determine on all or any part of the estate, real or personal property or both of the company, and all moneys so borrowed or raised shall be applied for the purposes of the company.

1906, c. 129,
ss. 10 and 11,
repealed.

3. Sections 10 and 11 of the said Act are repealed.

Commence-
ment of Act.

4. This Act shall come into force on the day upon which it receives the Royal Assent.

BILL

An Act respecting the City Gas Company
of London.

1st Reading

2nd Reading

3rd Reading

MR. WILSON (London)

(Private Bill)

2ND SESSION, 18TH LEGISLATURE, ONTARIO
21 GEORGE V, 1931

BILL

An Act respecting the City Gas Company of London.

MR. WILSON (London)

(PRIVATE BILL)

No. 54

1931

BILL

An Act respecting the City Gas Company of London.

Preamble.

WHEREAS the City Gas Company of London has by its petition represented that by section 9 of an Act passed in the sixth year of the reign of His Majesty King Edward the Seventh, chaptered 129, and entitled *An Act respecting the City Gas Company of London*, it is provided that the said company may borrow on bonds or debentures any sum or sums not exceeding in the whole \$250,000, with power to borrow again any amount thereof paid off; and that by section 10 of the said Act it is further provided that no bond or debenture shall have priority or preference over another, and that notwithstanding any mortgage or charge made to secure such bonds or debentures the said company may, so long as there shall be no default in payment of the interest upon any of such borrowed money, sell any surplus lands or other property of the said company not then required for its use and give a good title thereto free from all encumbrances in respect of the money so borrowed; and that by section 11 of the said Act it is further provided that the total yearly value of the lands and real property to be held by the said company for the purpose of its business at any one time shall not (over and above the value of the works erected thereon) exceed \$10,000; and whereas the said company has by its petition prayed that an Act may be passed authorizing it to borrow without limitation as to amount, and repealing said sections 10 and 11 of the said Act, and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario enacts as follows:

Short title.

1. This Act may be cited as *The City Gas Company of London Act, 1931*.

1906, c. 129,
s. 9 repealed.



2. Section 9 of *An Act respecting the City Gas Company of London* passed in the sixth year of the reign of His Majesty

King Edward the Seventh, chaptered 129, is hereby repealed and the following substituted therefor:

Issue of
debentures
authorized.



9. It shall be lawful for the City Gas Company of London to borrow on the credit of the company any sum or sums at such rate of interest and upon such terms and conditions as the company may deem advisable and to issue bonds, debentures, securities or other evidences of indebtedness therefor, and to secure the moneys so borrowed and any such debentures, bonds, securities or other evidences of indebtedness as the company may determine on all or any part of the estate, real or personal property or both of the company, and all moneys so borrowed or raised shall be applied for the purposes of the company.

Powers
conferred
not to affect
gas rates.

-  3. This Act shall not, nor shall the exercise by the company of the powers contained in this Act or any of them, entitle the said company to increase the price of gas over or above the sum of \$1.25 net per thousand cubic feet of gas, or the meter rents, to consumers within the limits of the city of London as now existing or hereafter extended, whether used for illuminating purposes or otherwise. And the said company shall not, by reason of the passing of this Act or by reason or in consequence of the exercise by it of the powers conferred by this Act or any of them, increase the price of gas over or above the said sum of \$1.25 net per thousand cubic feet, or the meter rents, and the said company shall not apply to The Ontario Railway and Municipal Board for authority by reason of the passing of this Act or by reason or in consequence of the exercise by it of the powers conferred by this Act or any of them, to increase the price of gas, over or above the said sum of \$1.25 net per thousand cubic feet, or the meter rents. 

1906, c. 129,
ss. 10 and 11,
repealed.

Existing
franchise
not
extended.

4. Sections 10 and 11 of the said Act are repealed.
-  5. It is hereby enacted and declared that this Act is not intended to extend, and shall not extend, the terms during which, by the agreement between the said company and the said corporation, and the agreement between the London Gas Light Company and the said corporation, or either of them, the said companies or either of them were authorized to exercise their corporate rights of supplying gas within the city of London beyond the periods for which the said companies would have been entitled to exercise such rights had this Act not been passed. 

Commence-
ment of Act.

6. This Act shall come into force on the day upon which it receives the Royal Assent.

BILL

An Act respecting the City Gas Company
of London.

1st Reading

March 10th, 1931

2nd Reading

3rd Reading

MR. WILSON (London)

*(Reprinted as amended by the Private
Bills Committee)*

2ND SESSION, 18TH LEGISLATURE, ONTARIO
21 GEORGE V, 1931

BILL

An Act respecting the City Gas Company of London.

MR. WILSON (London)

No. 54

1931

BILL

An Act respecting the City Gas Company of London.

Preamble.

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Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario enacts as follows:

Short title.

1. This Act may be cited as *The City Gas Company of London Act, 1931*.

1906, c. 129,
s. 9 repealed.

2. Section 9 of *An Act respecting the City Gas Company of London* passed in the sixth year of the reign of His Majesty

King Edward the Seventh, chaptered 129, is hereby repealed and the following substituted therefor:

9. It shall be lawful for the City Gas Company of London to borrow on the credit of the company any sum or sums at such rate of interest and upon such terms and conditions as the company may deem advisable and to issue bonds, debentures, securities or other evidences of indebtedness therefor, and to secure the moneys so borrowed and any such debentures, bonds, securities or other evidences of indebtedness as the company may determine on all or any part of the estate, real or personal property or both of the company, and all moneys so borrowed or raised shall be applied for the purposes of the company.
- Issue of debentures authorized.

3. This Act shall not, nor shall the exercise by the company of the powers contained in this Act or any of them, entitle the said company to increase the price of gas over or above the sum of \$1.25 net per thousand cubic feet of gas, or the meter rents, to consumers within the limits of the city of London as now existing or hereafter extended, whether used for illuminating purposes or otherwise. And the said company shall not, by reason of the passing of this Act or by reason or in consequence of the exercise by it of the powers conferred by this Act or any of them, increase the price of gas over or above the said sum of \$1.25 net per thousand cubic feet, or the meter rents, and the said company shall not apply to The Ontario Railway and Municipal Board for authority by reason of the passing of this Act or by reason or in consequence of the exercise by it of the powers conferred by this Act or any of them, to increase the price of gas, over or above the said sum of \$1.25 net per thousand cubic feet, or the meter rents.

Powers conferred not to affect gas rates.

4. Sections 10 and 11 of the said Act are repealed.

1906, c. 129, ss. 10 and 11, repealed.

5. It is hereby enacted and declared that this Act is not intended to extend, and shall not extend, the terms during which, by the agreement between the said company and the said corporation, and the agreement between the London Gas Light Company and the said corporation, or either of them, the said companies or either of them were authorized to exercise their corporate rights of supplying gas within the city of London beyond the periods for which the said companies would have been entitled to exercise such rights had this Act not been passed.

Existing franchise not extended.

6. This Act shall come into force on the day upon which it receives the Royal Assent.

Commencement of Act.

BILL

An Act respecting the City Gas Company
of London.

1st Reading

March 10th, 1931

2nd Reading

March 27th, 1931

3rd Reading

March 31st, 1931

Mr. WILSON (London)

2ND SESSION, 18TH LEGISLATURE, ONTARIO
21 GEORGE V, 1931

BILL

An Act respecting the City of London.

MR. WILSON (London)

(PRIVATE BILL)

BILL

An Act respecting the City of London.

Preamble.

WHEREAS the corporation of the city of London has by its petition prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The City of London Act, 1931*.

Assessment and debentures for Chester St. sewer.

Rev. Stat. c. 235.

2. The corporation of the city of London may pass a by-law to assess, and may assess, under the provisions of *The Local Improvement Act*, the lands in the township of Westminster, abutting on Chester Street, between Ridout Street and High Street, in which a sanitary sewer has been constructed under local improvement by-law number 7234, passed by the said corporation on the 27th day of November, 1923, for one-half of the cost of the construction of the said sanitary sewer, and such by-law and assessment shall be legal, valid and binding, and the by-law passed by the said corporation to provide for the issue of debentures to pay for the said local improvement work is hereby declared to be legal, valid and binding.

Housing Commission's power to improve houses.

3. The housing commission of the city of London may, with the consent of the council of the said corporation, by a two-thirds vote of the members thereof, from time to time, make or cause to be made improvements to any or all of the buildings owned by or mortgaged to the said commission, and may pay for the same out of any moneys which may be in the hands or under the control of the said commission, and all expenditures of money heretofore made by the said commission for the purposes aforesaid are hereby declared to be legal, valid and binding.

Issue of
debentures
to assist
Y.W.C.A.

4. The said corporation may pass a by-law to borrow, and may borrow, the sum of \$30,000 and may issue debentures therefor for any period not exceeding twenty years from the date thereof, and at such rate of interest not exceeding five per cent. per annum as the council of the said corporation may determine, and may pay the proceeds of the sale of the said debentures to the Women's Christian Association of the city of London to assist the said association in erecting an addition to Parkwood Hospital in the said city, upon such terms and conditions as the said council may deem proper, without submitting the by-law to the electors qualified to vote on money by-laws for their assent, and the said corporation and the said association are hereby authorized to enter into an agreement to carry out the said terms and conditions.

Issue of
debentures
for Victoria
hospital.

5. The said corporation may pass a by-law to borrow, and may borrow, the sum of \$300,000, and may issue debentures therefor for any period not exceeding twenty years from the date thereof, and at such rate of interest, not exceeding five per cent. per annum as the said council may determine, and may apply the proceeds of the sale of the said debentures towards the cost of the construction or reconstruction of Victoria hospital in the said city, or additions or parts thereof, without submitting the by-law to the electors qualified to vote on money by-laws for their assent.

Special rate
to establish
insurance
fund to pay
damage
claims, etc.

6. The said corporation may, from time to time, assess, levy, raise and collect, as a part of the current annual expenditure of the said corporation, such sums of money as the said council may, from time to time, deem necessary or expedient, to provide for an insurance fund, and may apply, from time to time, as may be necessary, the moneys so raised, levied and collected, in payment of the losses, damages and costs, if any, which the said corporation may, from time to time, be liable for or have to pay for want of repair, if any, of any of the public highways in the said city, and the damages and costs, if any, which the said corporation may, from time to time, be liable for or have to pay for damages or injuries, if any, caused by the fire department of the said corporation, or by any member or employee thereof, and all other losses, if any, which may be, from time to time, sustained by the said corporation and against the payment of which the said corporation has heretofore, from time to time, been protected by insurance.

Assessment
of adjoining
municipali-
ties for
street
lighting.

7. The said corporation may, from time to time, pass by-laws to assess, and may assess, annually, the municipalities adjoining the said city for, and may levy and collect, one-half of the cost of the present street lighting of the said

city at the borders of the said city, and of any additional street lighting which may be provided by the said corporation at the borders of the said city, and may, in default of payment by any of the said municipalities of the amount so levied, after a demand has been made therefor by the said council, recover the same, with interest, as a debt due to the said corporation from the municipality or municipalities so in default as aforesaid.

Market
spaces.

8. The said corporation may, from time to time, set apart in the open portions of the market square in the said city, or any of them, spaces, and may rent the same, from time to time, to persons, firms or corporations who may be desirous of renting the same, for a period not exceeding one year at any one time, and at a reasonable rental to be fixed from time to time by the said council.

Municipal
golf course.

9.—(1) The public utilities commission of the city of London may, from time to time, with the consent of the council of the said corporation, acquire by expropriation, purchase, lease or otherwise, such land within ten miles of the said city as the said commission may deem necessary or expedient for use as a municipal golf course, and may make, maintain, operate and control a municipal golf course thereon.

Application
of
Rev. Stat.
c. 248 to
golf course.

(2) The said public utilities commission shall, for the purposes mentioned in this section, have the like powers as are by sections 14, 15 and 16 of *The Public Parks Act* conferred upon a board of park management with respect to parks, avenues, boulevards and drives.

Butchers
licenses.

10. The said corporation may, from time to time, pass by-laws for licensing, regulating and governing butchers, dealers and other persons who sell meat wholesale and retail, and may fix the sum to be paid for the license, and the time for which it shall be in force, and may provide for enforcing payment of the license fee.

Rev. Stat.
c. 233 not
applicable
to certain
by-laws.

11. It shall not be necessary for the said corporation to observe, in respect of the by-laws mentioned in sections 4 and 5 hereof, the formalities prescribed by *The Municipal Act* in relation to the passing of money by-laws.

Irregulari-
ties not to
invalidate.

12. No irregularity in the form of any of the debentures issued under the authority of this Act or in any by-law authorizing the issue thereof shall render the same invalid or be allowed as a defence to any action brought against the said corporation for the recovery of the amount thereof or any part thereof or the interest thereon.

Commence-
ment of Act.

13. This Act shall come into force on the day upon which it receives the Royal Assent.

BILL

An Act respecting the City of London.

1st Reading

2nd Reading

3rd Reading

MR. WILSON (London)

(Private Bill)

2ND SESSION, 18TH LEGISLATURE, ONTARIO
21 GEORGE V, 1931

BILL

An Act respecting the City of London.

MR. WILSON (London)

(PRIVATE BILL)

No. 55

1931

BILL

An Act respecting the City of London.

Preamble.

WHEREAS the corporation of the city of London has, by its petition prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.


1. This Act may be cited as *The City of London Act, 1931*.


Assessment
and debentures
for
Chester St.
sewer.

Rev. Stat.
c. 235.

2.—(1) The corporation of the city of London may pass a by-law to assess, and may assess, under the provisions of *The Local Improvement Act*, the lands in the township of Westminster, abutting on Chester Street, between Ridout Street and High Street, in which a sanitary sewer has been constructed under local improvement by-law number 7234, passed by the said corporation on the 27th day of November, 1923, for one-half of the cost of the construction of the said sanitary sewer *or sum of \$5,591.94*, and such by-law and assessment shall be legal, valid and binding, and the by-law passed by the said corporation to provide for the issue of debentures to pay for the said local improvement work is hereby declared to be legal, valid and binding.

Special
assessment
roll and
special rate.

 (2) The council of the corporation of the city of London may, forthwith after the passing of this Act, procure to be made a special assessment roll of the land in the township of Westminster abutting upon Chester Street between Ridout Street and High Street; may hold the sittings of the Court of Revision for hearing complaints against the proposed special assessment of the said land, and shall have all the powers, and perform all the duties in respect of it which are provided for by *The Local Improvement Act*, in the same manner as if an agreement had been duly entered into between the said corporation

and the corporation of the township of Westminster, and had provided that the portion of the cost of the said the corporation of the township of Westminster should be included in the estimates of the year, and the by-law providing for the construction of the said sewer in Chester Street had been passed immediately after the passing of this Act, and may also pass a by-law to impose, and may impose, the special rates to defray the owners' portion of the cost upon the said land in the said township of Westminster, which may be liable therefor, as provided for by the said Act, and may make the said portion of the cost payable in twenty annual instalments from the date of the passing of the said last-mentioned by-law. 

Housing
Com-
mission's
power to
improve
houses.

3. The housing commission of the city of London may, with the consent of the council of the said corporation, by a two-thirds vote of the members thereof, from time to time, make or cause to be made improvements to any or all of the buildings owned by or mortgaged to the said commission, and may pay for the same out of any moneys which may be in the hands or under the control of the said commission, and all expenditures of money heretofore made by the said commission for the purposes aforesaid are hereby declared to be legal, valid and binding.


Issue of
debentures
to assist
Y.W.C.A.

4. The said corporation may pass a by-law to borrow, and may borrow, the sum of \$30,000 and may issue debentures therefor for any period not exceeding twenty years from the date thereof, and at such rate of interest not exceeding five per cent. per annum as the council of the said corporation may determine, and may pay the proceeds of the sale of the said debentures to the Women's Christian Association of the city of London to assist the said association in erecting an addition to Parkwood Hospital in the said city, upon such terms and conditions as the said council may deem proper, without submitting the by-law to the electors qualified to vote on money by-laws for their assent, and the said corporation and the said association are hereby authorized to enter into an agreement to carry out the said terms and conditions.

Issue of
debentures
for Victoria
hospital.

5. The said corporation may pass a by-law to borrow, and may borrow, the sum of \$300,000, and may issue debentures therefor for any period not exceeding twenty years from the date thereof, and at such rate of interest, not exceeding five per cent. per annum as the said council may determine, and may apply the proceeds of the sale of the said debentures towards the cost of the construction or reconstruction of Victoria hospital in the said city, or additions or parts thereof, without submitting the by-law to the electors qualified to vote on money by-laws for their assent.

Purchase of
London
Rolling Mills
property.


 **6.**—(1) The said corporation may acquire by purchase the real property and plant of The London Rolling Mill Company, Limited, situate in the said city at a price not exceeding \$50,000.

(2) The said corporation may borrow a sum not exceeding \$50,000 to purchase the said real property and plant mentioned in subsection 1 and may issue debentures therefor for any period not exceeding twenty years from the date thereof and at such rate of interest not exceeding five per cent. per annum as the council of the said corporation may determine.

(3) The said corporation may, from time to time, lease the said real property and plant when acquired by the said corporation, for such periods and upon such terms and conditions as the said council may, from time to time, determine, and the said corporation may sell, assign and convey the said real property and plant when it sees fit so to do; provided, however, that the said real property and plant shall not be sold or leased except at a price or rental which may be determined by a judge of the county court of the county of Middlesex on an application to him for that purpose, as the fair market value, or fair rental value, as the case may be, of the said real property and plant, having regard to the price paid by the said corporation, including all carrying charges thereon.

(4) The said council may from time to time pass by-laws for any of the purposes mentioned in this section, and it shall not be necessary that the same be submitted to or receive the assent of the electors of the said city qualified to vote on money by-laws.

Sale of
debentures
at a dis-
count.

7. Notwithstanding anything contained in this Act or in any special Act heretofore or hereafter passed respecting the city of London, any debentures issued or to be issued under any by-law heretofore or hereafter passed by the corporation of the said city under the authority of any of said Acts may be sold at a discount, and any debentures heretofore sold at a discount are hereby validated. 

Market
spaces.

8. The said corporation may, from time to time, set apart in the open portions of the market square in the said city, or any of them, spaces, and may rent the same, from time to time, to persons, firms or corporations who may be desirous of renting the same, for a period not exceeding one year at any one time, and at a reasonable rental to be fixed from time to time by the said council.

Municipal
golf course.

9. The public utilities commission of the city of London may, from time to time, with the consent of the council of

the said corporation, acquire by purchase, lease or otherwise, such land within ten miles of the said city as the said commission may deem necessary or expedient for use as a municipal golf course, and may make, maintain, operate and control a municipal golf course thereon.

Butchers
licenses.

10. The said corporation may, from time to time, pass by-laws for licensing, regulating and governing butchers, dealers and other persons who sell meat wholesale and retail, and may fix the sum to be paid for the license, and the time for which it shall be in force, and may provide for enforcing payment of the license fee.

Rev. Stat.
c. 233 not
applicable
to certain
by-laws.

11. It shall not be necessary for the said corporation to observe, in respect of the by-laws mentioned in sections 4 and 5 hereof, the formalities prescribed by *The Municipal Act* in relation to the passing of money by-laws.

Irregulari-
ties not to
invalidate.

12. No irregularity in the form of any of the debentures issued under the authority of this Act or in any by-law authorizing the issue thereof shall render the same invalid or be allowed as a defence to any action brought against the said corporation for the recovery of the amount thereof or any part thereof or the interest thereon.

Commence-
ment of Act.

13. This Act shall come into force on the day upon which it receives the Royal Assent.

BILL

An Act respecting the City of London.

1st Reading

February 25th, 1931

2nd Reading

3rd Reading

MR. WILSON (London)

*(Reprinted as amended by the Private
Bills Committee)*

No. 55

2ND SESSION, 18TH LEGISLATURE, ONTARIO
21 GEORGE V, 1931

BILL

An Act respecting the City of London.

MR. WILSON (London)

TORONTO
PRINTED BY HERBERT H. BALL
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

BILL

An Act respecting the City of London.

Preamble

WHEREAS the corporation of the city of London has by its petition prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The City of London Act, 1931*.

Assessment and debentures for Chester St. sewer.

Rev. Stat. c. 235.

2.—(1) The corporation of the city of London may pass a by-law to assess, and may assess, under the provisions of *The Local Improvement Act*, the lands in the township of Westminster, abutting on Chester Street, between Ridout Street and High Street, in which a sanitary sewer has been constructed under local improvement by-law number 7234, passed by the said corporation on the 27th day of November, 1923, for one-half of the cost of the construction of the said sanitary sewer or sum of \$5,591.94, and such by-law and assessment shall be legal, valid and binding, and the by-law passed by the said corporation to provide for the issue of debentures to pay for the said local improvement work is hereby declared to be legal, valid and binding.

Special assessment roll and special rate.

(2) The council of the corporation of the city of London may, forthwith after the passing of this Act, procure to be made a special assessment roll of the land in the township of Westminster abutting upon Chester Street between Ridout Street and High Street; may hold the sittings of the Court of Revision for hearing complaints against the proposed special assessment of the said land, and shall have all the powers, and perform all the duties in respect of it which are provided for by *The Local Improvement Act*, in the same manner as if an agreement had been duly entered into between the said corporation

and the corporation of the township of Westminster, and had provided that the portion of the cost of the said the corporation of the township of Westminster should be included in the estimates of the year, and the by-law providing for the construction of the said sewer in Chester Street had been passed immediately after the passing of this Act, and may also pass a by-law to impose, and may impose, the special rates to defray the owners' portion of the cost upon the said land in the said township of Westminster, which may be liable therefor, as provided for by the said Act, and may make the said portion of the cost payable in twenty annual instalments from the date of the passing of the said last-mentioned by-law.

3. The housing commission of the city of London may, with the consent of the council of the said corporation, by a two-thirds vote of the members thereof, from time to time, make or cause to be made improvements to any or all of the buildings owned by or mortgaged to the said commission, and may pay for the same out of any moneys which may be in the hands or under the control of the said commission, and all expenditures of money heretofore made by the said commission for the purposes aforesaid are hereby declared to be legal, valid and binding.

Housing
Com-
mission's
power to
improve
houses

4. The said corporation may pass a by-law to borrow, and may borrow, the sum of \$30,000 and may issue debentures therefor for any period not exceeding twenty years from the date thereof, and at such rate of interest not exceeding five per cent. per annum as the council of the said corporation may determine, and may pay the proceeds of the sale of the said debentures to the Women's Christian Association of the city of London to assist the said association in erecting an addition to Parkwood Hospital in the said city, upon such terms and conditions as the said council may deem proper, without submitting the by-law to the electors qualified to vote on money by-laws for their assent, and the said corporation and the said association are hereby authorized to enter into an agreement to carry out the said terms and conditions.

Aid to
Parkwood
Hospital.

5. The said corporation may pass a by-law to borrow, and may borrow, the sum of \$300,000, and may issue debentures therefor for any period not exceeding twenty years from the date thereof, and at such rate of interest, not exceeding five per cent. per annum as the said council may determine, and may apply the proceeds of the sale of the said debentures towards the cost of the construction or reconstruction of Victoria hospital in the said city or additions or parts thereof, without submitting the by-law to the electors qualified to vote on money by-laws for their assent.

Issue of
debentures
for Victoria
hospital.

Purchase of
London
Rolling Mills
property.

6.—(1) The said corporation may acquire by purchase the real property and plant of The London Rolling Mill Company, Limited, situate in the said city at a price not exceeding \$50,000.

(2) The said corporation may borrow a sum not exceeding \$50,000 to purchase the said real property and plant mentioned in subsection 1 and may issue debentures therefor for any period not exceeding twenty years from the date thereof and at such rate of interest not exceeding five per cent. per annum as the council of the said corporation may determine.

(3) The said corporation may, from time to time, lease the said real property and plant when acquired by the said corporation, for such periods and upon such terms and conditions as the said council may, from time to time, determine, and the said corporation may sell, assign and convey the said real property and plant when it sees fit so to do; provided, however, that the said real property and plant shall not be sold or leased except at a price or rental which may be determined by a judge of the county court of the county of Middlesex on an application to him for that purpose, as the fair market value, or fair rental value, as the case may be, of the said real property and plant, having regard to the price paid by the said corporation, including all carrying charges thereon.

(4) The said council may from time to time pass by-laws for any of the purposes mentioned in this section, and it shall not be necessary that the same be submitted to or receive the assent of the electors of the said city qualified to vote on money by-laws.

Sale of
debentures
at a dis-
count.

7. Notwithstanding anything contained in this Act or in any special Act heretofore or hereafter passed respecting the city of London, any debentures issued or to be issued under any by-law heretofore or hereafter passed by the corporation of the said city under the authority of any of said Acts may be sold at a discount, and any debentures heretofore sold at a discount are hereby validated.

Market
spaces.

8. The said corporation may, from time to time, set apart in the open portions of the market square in the said city, or any of them, spaces, and may rent the same, from time to time, to persons, firms or corporations who may be desirous of renting the same, for a period not exceeding one year at any one time, and at a reasonable rental to be fixed from time to time by the said council.

Municipal
golf course.

9. The public utilities commission of the city of London may, from time to time, with the consent of the council of

the said corporation, acquire by purchase, lease or otherwise, such land within ten miles of the said city as the said commission may deem necessary or expedient for use as a municipal golf course, and may make, maintain, operate and control a municipal golf course thereon.

10. The said corporation may, from time to time, pass by-laws for licensing, regulating and governing butchers, dealers and other persons who sell meat wholesale and retail, and may fix the sum to be paid for the license, and the time for which it shall be in force, and may provide for enforcing payment of the license fee. Butchers licenses.

11. It shall not be necessary for the said corporation to observe, in respect of the by-laws mentioned in sections 4 and 5 hereof, the formalities prescribed by *The Municipal Act* in relation to the passing of money by-laws. Rev. Stat. c. 233 not applicable to certain by-laws.

12. No irregularity in the form of any of the debentures issued under the authority of this Act or in any by-law authorizing the issue thereof shall render the same invalid or be allowed as a defence to any action brought against the said corporation for the recovery of the amount thereof or any part thereof or the interest thereon. Irregularities not to invalidate.

13. This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

BILL

An Act respecting the City of London.

1st Reading

February 25th, 1931

2nd Reading

March 25th, 1931

3rd Reading

March 27th, 1931

MR. WILSON (London)

No. 56

2ND SESSION, 18TH LEGISLATURE, ONTARIO
21 GEORGE V, 1931

BILL

An Act respecting the Toronto General Hospital

MR. MURPHY (St. Patrick)

(PRIVATE BILL)

TORONTO
PRINTED BY HERBERT H. BALL
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

No. 56

1931

BILL

An Act respecting the Toronto General Hospital.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title. **1.** This Act may be cited as *The Toronto General Hospital Act, 1931*.

Rev. Stat.,
c. 358,
amended. **2.** *The Toronto General Hospital Act* is amended by adding thereto the following section:

Appoint-
ment of
Advisory
Board. 10a.—(1) The Board may by by-law constitute an Honorary Advisory Board consisting of not more than ten members appointed by the Board, to hold office during the pleasure of the Board, and the Board may from time to time fill any vacancy occurring in the membership of the said Honorary Advisory Board.

Officers. (2) The Honorary Advisory Board may appoint a chairman and a vice-chairman. The secretary of the Board shall upon the request of the Honorary Advisory Board act as its secretary.

Membership. (3) No person shall be appointed a member of the said Honorary Advisory Board unless previous to his appointment he has been appointed or elected as a trustee of the Board and has served in such capacity for a period of at least five years.

Advisory
powers. (4) The said Honorary Advisory Board shall not have or exercise any of the rights, powers and privileges of the Board but shall act only in an advisory capacity in co-operation with the Board as the said Board shall from time to time desire or determine.

Commence-
ment of Act. **3.** This Act shall come into force on the day upon which it receives the Royal Assent.

BILL

An Act respecting the Toronto General
Hospital.

1st Reading

2nd Reading

3rd Reading

MR. MURPHY

(Private Bill)

2ND SESSION, 18TH LEGISLATURE, ONTARIO
21 GEORGE V, 1931

BILL

An Act respecting the Toronto General Hospital

MR. MURPHY (St. Patrick)

BILL

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HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

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Officers. (2) The Honorary Advisory Board may appoint a chairman and a vice-chairman. The secretary of the Board shall upon the request of the Honorary Advisory Board act as its secretary.

Membership. (3) No person shall be appointed a member of the said Honorary Advisory Board unless previous to his appointment he has been appointed or elected as a trustee of the Board and has served in such capacity for a period of at least five years.

Advisory
powers. (4) The said Honorary Advisory Board shall not have or exercise any of the rights, powers and privileges of the Board but shall act only in an advisory capacity in co-operation with the Board as the said Board shall from time to time desire or determine.

Commence-
ment of Act. **3.** This Act shall come into force on the day upon which it receives the Royal Assent.

BILL

An Act respecting the Toronto General
Hospital.

1st Reading

February 25th, 1931

2nd Reading

March 20th, 1931

3rd Reading

March 25th, 1931

MR. MURPHY

2ND SESSION, 18TH LEGISLATURE, ONTARIO
21 GEORGE V, 1931

BILL

An Act to regulate the practice of Architecture.

MR. OAKLEY

(PRIVATE BILL)

No. 57

1931

BILL

An Act to regulate the practice of Architecture

WHEREAS the Ontario Association of Architects has by its petition prayed for special legislation in respect to the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

PART I.

SHORT TITLE.

Short title.

1. This Act may be cited as *The Architects Act, 1931*.

PART II.

ARCHITECTS' REGISTRATION BOARD.

Architects'
Registration
Board estab-
lished.

- 2.—(1) There shall be established a board to be known as the Architects' Registration Board to be composed as follows:

- (a) One member to be appointed by the University of Toronto and one member by each other university, college or body in the Province of Ontario now by law authorized or which may hereafter be authorized to grant degrees in architecture and which establishes and maintains to the satisfaction of the board a faculty, school or department of architecture in connection therewith, each member appointed under this clause to hold office for a period of three years;
- (b) One member be appointed by the Lieutenant-Governor in Council to hold office for a period of three years;
- (c) Three members for each one appointed under clause (a) of this subsection to be elected by a general vote

of the members of the Ontario Association of Architects in the manner provided by that Association for the election of the council thereof, the members elected under this clause to hold office for one year only from the coming into force of this Act; and thereafter three members of the board for each one appointed under clause (a) of this subsection to be elected by general vote of the members of the profession registered under this Part, the same to hold office for three years.

Qualification
of
members.

(2) Every member of the board, other than the first members, shall be an architect registered under this Act, a British subject, and a resident of the Province of Ontario; and any member of the board, not otherwise disqualified, shall be eligible for reappointment at the expiration of his term.

Resignations
and
vacancies.

(3) Any member of the board may resign by letter addressed to the chairman of the board; and every vacancy on the board caused by the death, resignation or incapacity of a member, if such member has been appointed under clause (a) of subsection 1 hereof shall be filled by the university, college or body which appointed him, and if such member has been appointed under clause (b) of subsection 1 hereof, by the Lieutenant-Governor in Council, and if such member has been appointed under clause (c) of subsection 1 hereof, then by the majority vote of the remaining members of the board. Members of the board appointed to fill vacancies arising as aforesaid shall hold office only until the expiration of the term of the member so dead, resigned or incapacitated.

Officers of
the board.

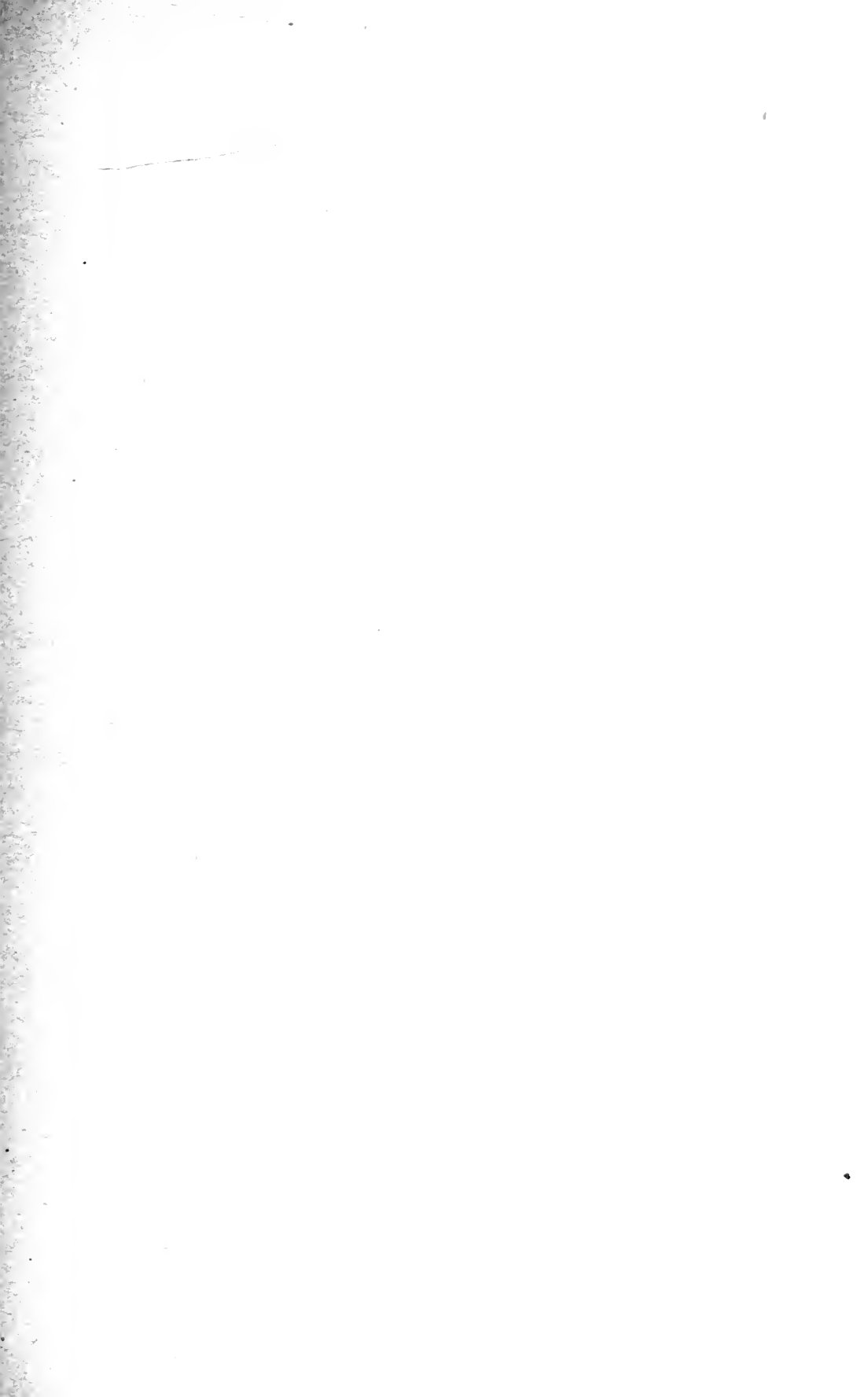
(4) The board shall elect one of its number to be chairman, one to be vice-chairman and one to be secretary-treasurer.

Rules of
procedure.

3.—(1) The board may make rules and regulations as to the times and places of meetings of the board and the mode of summoning the same; and in the absence of any rule or regulation as to the summoning of meetings, the chairman or in the event of his absence, death, or incapacity the secretary-treasurer may summon a meeting to be held at such time and place as to him seems fit, by letter mailed to each member of the board.

(2) In the event of the absence of the chairman from any meeting, the vice-chairman or in his absence some other member to be chosen, from among the members present, shall act as chairman.

(3) All questions shall be decided by the majority of the members present and three members shall form a quorum of the board.



(4) At all meetings the chairman thereof shall have a casting vote.

Powers of
the board.

4. The board, with the approval of the Lieutenant-Governor in Council, may make regulations;

- (a) for the admission of architects to practise in Ontario, and for the registration of all persons so admitted;
- (b) prescribing qualifications of persons to be admitted and the proofs to be furnished as to education, good character and experience;
- (c) prescribing examinations for admission and the method of conducting them, and fixing the fees to be paid on examinations and registration;
- (d) for keeping a register of persons admitted to practise and providing for the annual renewal of registration and prescribing the fees payable thereon;
- (e) providing for the discipline and control of registered architects;
- (f) for the investigation of any complaint that a registered architect has been guilty of misconduct or incompetence so as to render it desirable in the public interest that his registration should be cancelled or suspended;
- (g) for the cancellation or suspension of the registration of any person found by the board to be guilty of misconduct or incompetence; and
- (h) for the elections of members of the board under clause (c) of subsection 1 of section 2 hereof.
- (i) generally for the better carrying out of the provisions of this Part.

Investigations.

Rev. Stat.,
c. 20.

5. On the investigation of any claim against a registered architect the board shall have all the power which may be conferred on a commission appointed under *The Public Inquiries Act*.

Appeals.

6.—(1) Any one whose registration hereunder is suspended or cancelled may within sixty days after the order of suspension or cancellation appeal to a judge of the Supreme Court from such order, giving not less than seven days' notice of such appeal to the secretary-treasurer of the board and the

practice and procedure in such an appeal shall be the same as upon an appeal from a Master or Referee of the Supreme Court.

Practising
pending
appeal.

(2) Pending an appeal the party whose registration is suspended or cancelled, may continue to practise, but unless the order of suspension or cancellation be set aside, he shall not practise thereafter except in the case of suspension upon the expiry of the period of suspension.

Registration
of persons
practising at
passing of
Act.

7. Registration may be granted without requiring the passing of the prescribed examinations to any person who makes application therefor, on or before such date as may be fixed by the regulations, upon proving to the satisfaction of the board that the applicant is of good character:

(a) was practising as an architect in Ontario for at least one year prior to the first day of July, 1931.

(b) or gives evidence of experience and qualifications satisfactory to the board.

Remunera-
tion of
members of
board.

8. Such remuneration as shall be fixed by the regulations for the members of the board, including the secretary-treasurer, and all other expenses which may be required for carrying out the provisions of this Part and the regulations passed thereunder shall be paid out of the moneys received by the board under the provisions of this Part and the regulations.

Audit of
board's
accounts.

9. The accounts of the board shall be audited by a chartered accountant, or a licentiate in accountancy, annually and a statement of such accounts as audited shall be sent to each registered architect in good standing, and to the Attorney-General.

Witness fees.

10. Every architect summoned to attend any civil or criminal court for the purpose of giving evidence in his professional capacity, for each day he so attends, shall be entitled to \$5 in addition to his travelling expenses, to be taxed and paid in the manner by law provided with regard to the payment of witnesses attending such court.

Penalties for
unauthorized
use of term
architect
and for
unauthorized
holding
out as
architect.

11.—(1) Every person who, not being registered as an architect under this Part, or who having been so registered and whose registration has been cancelled or is under suspension, who applies to himself the term architect alone or in combination with any other term, or who holds himself out as an architect shall be guilty of an offence, and shall incur a penalty not exceeding \$100 for a first offence and upon con-

viction for a subsequent offence a penalty of not less than \$300 and not more than \$500, or imprisonment for a period not exceeding three months or both.

(2) Nothing herein contained shall be deemed to prevent anyone using the term "Landscape Architect."

Penalty for
false
certificate.

12. Every architect who wilfully makes any false certificate in respect of any work done, or the value or condition of any work or building, besides being liable in damages for any injury thereby suffered, shall incur a penalty not exceeding \$100.

Rev. Stat.,
c. 121.

13. Penalties imposed by or under the authority of this Part shall be recoverable under *The Summary Convictions Act*.

PART III.

ONTARIO ASSOCIATION OF ARCHITECTS.

Association
continued.

14. The Ontario Association of Architects, hereinafter called the association, is hereby continued as a body corporate.

Powers as to
real estate.

15. The association may purchase, take and possess for the purposes of the association, but for no other purpose, and after acquiring the same may sell, mortgage, lease or dispose of any real estate.

Membership.

16. The persons who are now members of the association and such other architects who may be hereafter admitted shall be members thereof, subject to the by-laws of the council and to the provisions of this Part.

Objects.

17. The general objects of the association shall be to institute and furnish means and facilities for the promotion of knowledge, proficiency and high standard of ethics in all things relating to the practice of architecture.

Council of
manage-
ment.

18. There shall be a council of management of the association, hereinafter called the council to be appointed in the manner hereinafter provided.

Council,
how
composed.

19.—(1) The council shall be composed of twelve persons who shall be British subjects, who have resided and practised the profession of architecture within Ontario for at least ten years.

Quorum.

(2) Any five members of the council shall form a quorum.

Election.

20. The members of the council shall be elected by ballot, in such manner as may be provided by by-law of the asso-

ciation, at its annual meeting, or at a special meeting called for that purpose, and the members of the association obtaining the greatest number of votes shall be declared elected.

21. No person shall be eligible for election to the council, or qualified to fill any vacancy therein, or to vote for any member thereof unless duly qualified under the provisions of this Part and by-law of the association.

22. Except in the case of an election or an appointment to fill a vacancy caused by death or resignation, the members of the council shall hold office for the term of three years, four retiring each year.

23. (1) In case of the resignation or death of any member or members of the council, not exceeding seven the other members may fill the vacancies, to hold office until the time of the holding of the next annual meeting, provided that such meeting is not to be held within three months of the occurring of such vacancies.

(2) In case of the resignation or death of eight or more members of the council, the president or either of the vice-presidents of the association or, in case of their default for a period of ten days, any five members in good standing may call a special meeting of the association, upon notice of not less than ten days, for the purpose of filling the vacancies.

(3) In case of an election to fill the vacancies referred to in subsections 1 and 2, the member receiving the greater number of votes shall be considered the member elected to fill the vacancy which will require the longer term to expire, and so on until the vacancies are filled.

24. In case of any doubt or dispute as to who has been elected a member of the council, or as to the legality of the election of any member, the other duly elected members shall be a committee to hold an enquiry and decide who is the legally elected member, and the person whom they decide to have been elected shall be deemed to be legally elected, and if the election is found to have been illegal, the committee shall order a new election.

25. The council shall annually elect from amongst its members a president and two vice-presidents, and shall appoint a treasurer, a solicitor, an auditor and such other officers as may be deemed necessary for carrying out the objects of this Part, who shall hold office during the pleasure of the council, and who shall, as well as being officers of the council, hold the like positions as officers of the association. The office of the president shall not be held by any one person for more than two years in succession.

Power to
regulate
meetings of
council and
association.

26. Meetings of the association and of the council shall be held at such time and places as may be fixed by by-law of the association or council respectively; and in the absence of any rule or regulation as to the summoning of meetings of the association or of the council, the president, or in the event of his absence or death, either of the vice-presidents may summon the same for such time and place as he may think fit, by notice to be mailed to each member.

Who to
preside at
meetings.

27. In the event of the absence of the president from any meeting, either of the vice-presidents, or, in their absence, some other member to be chosen from among the members present shall act as president.

Majority to
decide.

28.—(1) All questions submitted to the association or to the council shall be decided by a majority of the members present, except as otherwise provided by the by-laws of the association.

Quorum.

(2) Any twenty members of the association shall form a quorum.

Casting
vote.

29. At all meetings the president for the time being shall have only a casting vote, and in the case of a tie at an election he shall have a casting vote in addition to his vote as a member of the association.

Payment of
expenses of
members of
council.

30. There shall be paid to the members of the council such fees for attendance, and such reasonable travelling expenses as may be fixed by by-laws of the association passed at an annual meeting.

Officers'
salaries.

31. The council may by by-law fix the salaries or fees to be paid to the officers of the association.

32. The council may pass by-laws not inconsistent with the provisions of this Part for:

Discipline.

(a) the admission and the government of the association;

Manage-
ment of
property.

(b) the management of the property of the association;

Fees of
candidates.

(c) fixing, levying and collecting fees to be paid by candidates for membership and annual fees to be paid by members of the association;

Associates,
honorary
members.

(d) the creation of qualified classes of membership for associates and honorary members prescribing the qualifications for and the rights of each of such classes;

Other
matters.

(e) all such other purposes as may be deemed necessary or convenient for the management of the affairs of the association, and the conduct of its business;

and may alter and amend such by-laws when deemed advisable.

Admission
of
members.

33. All candidates for membership shall be presented by a member of the council and shall cause their full names to be entered with the treasurer and shall pay such fees as shall be prescribed.

Recovery of
fees.

34. All fees payable under this Part may be recovered as ordinary debts due to the association.

Accounts
and
audit.

35. The treasurer shall enter in books to be kept for that purpose a true account of all sums of money by him received and paid under this Part, and such account shall be audited by the auditor and submitted to the council and to the association when and so often as they may require.

PART IV.

REPEAL.

Repeal.

36. *The Architects Act*, being chapter 203 of the Revised Statutes of Ontario, 1927, is repealed.

Commence-
ment of Act.

37. This Act shall come into force on the 1st day of July, 1931.

BILL

An Act to regulate the practice
of Architecture.

1st Reading

2nd Reading

3rd Reading

MR. OAKLEY

(*Private Bill*)

No. 57

2ND SESSION, 18TH LEGISLATURE, ONTARIO
21 GEORGE V, 1931

BILL

An Act to regulate the practice of Architecture.

MR. OAKLEY

TORONTO
PRINTED BY HERBERT H. BALL
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No. 57

1931

BILL

An Act to regulate the practice of Architecture

WHEREAS the Ontario Association of Architects has by its petition prayed for special legislation in respect to the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

PART I.

SHORT TITLE.

Short title. **1.** This Act may be cited as *The Architects Act, 1931*.

PART II.

ARCHITECTS' REGISTRATION BOARD.

Architects' Registration Board established. **2.—(1)** There shall be established a board to be known as the Architects' Registration Board to be composed as follows:

- (a) One member to be appointed by the University of Toronto and one member by each other university, college or body in the Province of Ontario now by law authorized or which may hereafter be authorized to grant degrees in architecture and which establishes and maintains to the satisfaction of the board a faculty, school or department of architecture in connection therewith, each member appointed under this clause to hold office for a period of three years;
- (b) One member be appointed by the Lieutenant-Governor in Council to hold office for a period of three years;
- (c) Three members for each one appointed under clause (a) of this subsection to be elected by a general vote

of the members of the Ontario Association of Architects in the manner provided by that Association for the election of the council thereof, the members elected under this clause to hold office for one year only from the coming into force of this Act; and thereafter three members of the board for each one appointed under clause (a) of this subsection to be elected by general vote of the members of the profession registered under this Part, the same to hold office for three years.

(2) Every member of the board, other than the first ^{Qualification of} members, shall be an architect registered under this Act, a British subject, and a resident of the Province of Ontario; and any member of the board, not otherwise disqualified, shall be eligible for reappointment at the expiration of his term.

(3) Any member of the board may resign by letter addressed ^{Resignations and} to the chairman of the board; and every vacancy on the ^{vacancies.} board caused by the death, resignation or incapacity of a member, if such member has been appointed under clause (a) of subsection 1 hereof shall be filled by the university, college or body which appointed him, and if such member has been appointed under clause (b) of subsection 1 hereof, by the Lieutenant-Governor in Council, and if such member has been appointed under clause (c) of subsection 1 hereof, then by the majority vote of the remaining members of the board. Members of the board appointed to fill vacancies arising as aforesaid shall hold office only until the expiration of the term of the member so dead, resigned or incapacitated.

(4) The board shall elect one of its number to be chairman, ^{Officers of} one to be vice-chairman and one to be secretary-treasurer. ^{the board.}

3.—(1) The board may make rules and regulations as to ^{Rules of} the times and places of meetings of the board and the mode ^{procedure.} of summoning the same; and in the absence of any rule or regulation as to the summoning of meetings, the chairman or in the event of his absence, death, or incapacity the secretary-treasurer may summon a meeting to be held at such time and place as to him seems fit, by letter mailed to each member of the board.

(2) In the event of the absence of the chairman from any meeting, the vice-chairman or in his absence some other member to be chosen, from among the members present, shall act as chairman.

(3) All questions shall be decided by the majority of the members present and three members shall form a quorum of the board.

(4) At all meetings the chairman thereof shall have a casting vote.

Powers of
the board.

4. The board, with the approval of the Lieutenant-Governor in Council, may make regulations;

- (a) for the admission of architects to practise in Ontario, and for the registration of all persons so admitted;
- (b) prescribing qualifications of persons to be admitted and the proofs to be furnished as to education, good character and experience;
- (c) prescribing examinations for admission and the method of conducting them, and fixing the fees to be paid on examinations and registration;
- (d) for keeping a register of persons admitted to practise and providing for the annual renewal of registration and prescribing the fees payable thereon;
- (e) providing for the discipline and control of registered architects;
- (f) for the investigation of any complaint that a registered architect has been guilty of misconduct or incompetence so as to render it desirable in the public interest that his registration should be cancelled or suspended;
- (g) for the cancellation or suspension of the registration of any person found by the board to be guilty of misconduct or incompetence; and
- (h) for the elections of members of the board under clause (c) of subsection 1 of section 2 hereof.
- (i) generally for the better carrying out of the provisions of this Part.

Investiga-
tions.

5. On the investigation of any claim against a registered architect the board shall have all the power which may be conferred on a commission appointed under *The Public Inquiries Act*.

Rev. Stat.,
c. 20.

Appeals.

6.—(1) Any one whose registration hereunder is suspended or cancelled may within sixty days after the order of suspension or cancellation appeal to a judge of the Supreme Court from such order, giving not less than seven days' notice of such appeal to the secretary-treasurer of the board and the

practice and procedure in such an appeal shall be the same as upon an appeal from a Master or Referee of the Supreme Court.

(2) Pending an appeal the party whose registration is suspended or cancelled, may continue to practise, but unless the order of suspension or cancellation be set aside, he shall not practise thereafter except in the case of suspension upon the expiry of the period of suspension.

7. Registration may be granted without requiring the passing of the prescribed examinations to any person who makes application therefor, on or before such date as may be fixed by the regulations, upon proving to the satisfaction of the board that the applicant is of good character:

(a) was practising as an architect in Ontario for at least one year prior to the first day of July, 1931.

(b) or gives evidence of experience and qualifications satisfactory to the board.

8. Such remuneration as shall be fixed by the regulations for the members of the board, including the secretary-treasurer, and all other expenses which may be required for carrying out the provisions of this Part and the regulations passed thereunder shall be paid out of the moneys received by the board under the provisions of this Part and the regulations.

9. The accounts of the board shall be audited by a chartered accountant, or an incorporated public accountant, annually, and a statement of such accounts as audited shall be sent to each registered architect in good standing, and to the Attorney-General.

10. Every architect summoned to attend any civil or criminal court for the purpose of giving evidence in his professional capacity, for each day he so attends, shall be entitled to \$5 in addition to his travelling expenses, to be taxed and paid in the manner by law provided with regard to the payment of witnesses attending such court.

11.—(1) Every person who, not being registered as an architect under this Part, or who having been so registered and whose registration has been cancelled or is under suspension, who applies to himself the term architect alone or in combination with any other term, or who holds himself out as an architect shall be guilty of an offence, and shall incur a penalty not exceeding \$100 for a first offence and upon con-

viction for a subsequent offence a penalty of not less than \$300 and not more than \$500, or imprisonment for a period not exceeding three months or both.

(2) Nothing herein contained shall be deemed to prevent anyone using the term "Landscape Architect."

Penalty for
false
certificate.

12. Every architect who wilfully makes any false certificate in respect of any work done, or the value or condition of any work or building, besides being liable in damages for any injury thereby suffered, shall incur a penalty not exceeding \$100.

Rev. Stat.,
c. 121.

13. Penalties imposed by or under the authority of this Part shall be recoverable under *The Summary Convictions Act*.

PART III.

ONTARIO ASSOCIATION OF ARCHITECTS.

Association
continued.

14. The Ontario Association of Architects, hereinafter called the association, is hereby continued as a body corporate.

Powers as to
real estate.

15. The association may purchase, take and possess for the purposes of the association, but for no other purpose, and after acquiring the same may sell, mortgage, lease or dispose of any real estate.

Membership.

16. The persons who are now members of the association and such other architects who may be hereafter admitted shall be members thereof, subject to the by-laws of the council and to the provisions of this Part.

Objects.

17. The general objects of the association shall be to institute and furnish means and facilities for the promotion of knowledge, proficiency and high standard of ethics in all things relating to the practice of architecture.

Council of
manage-
ment.

18. There shall be a council of management of the association, hereinafter called the council to be appointed in the manner hereinafter provided.

Council,
how
composed.

19.—(1) The council shall be composed of twelve persons who shall be British subjects, who have resided and practised the profession of architecture within Ontario for at least ten years.

Quorum.

(2) Any five members of the council shall form a quorum.

Election.

20. The members of the council shall be elected by ballot, in such manner as may be provided by by-law of the asso-

ciation, at its annual meeting, or at a special meeting called for that purpose, and the members of the association obtaining the greatest number of votes shall be declared elected.

21. No person shall be eligible for election to the council, or qualified to fill any vacancy therein, or to vote for any member thereof unless duly qualified under the provisions of this Part and by by-law of the association. Qualification.

22. Except in the case of an election or an appointment to fill a vacancy caused by death or resignation, the members of the council shall hold office for the term of three years, four retiring each year. Term of office.

23.—(1) In case of the resignation or death of any member or members of the council, not exceeding seven the other members may fill the vacancies, to hold office until the time of the holding of the next annual meeting, provided that such meeting is not to be held within three months of the occurring of such vacancies. Vacancies how filled.

(2) In case of the resignation or death of eight or more members of the council, the president or either of the vice-presidents of the association or, in case of their default for a period of ten days, any five members in good standing may call a special meeting of the association, upon notice of not less than ten days, for the purpose of filling the vacancies. Special meeting.

(3) In case of an election to fill the vacancies referred to in subsections 1 and 2, the member receiving the greater number of votes shall be considered the member elected to fill the vacancy which will require the longer term to expire, and so on until the vacancies are filled. Election how determined.

24. In case of any doubt or dispute as to who has been elected a member of the council, or as to the legality of the election of any member, the other duly elected members shall be a committee to hold an enquiry and decide who is the legally elected member, and the person whom they decide to have been elected shall be deemed to be legally elected, and if the election is found to have been illegal, the committee shall order a new election. Proceedings where election disputed.

25. The council shall annually elect from amongst its members a president and two vice-presidents, and shall appoint a treasurer, a solicitor, an auditor and such other officers as may be deemed necessary for carrying out the objects of this Part, who shall hold office during the pleasure of the council, and who shall, as well as being officers of the council, hold the like positions as officers of the association. The office of the president shall not be held by any one person for more than two years in succession. President and officers.

Power to regulate meetings of council and association.

26. Meetings of the association and of the council shall be held at such time and places as may be fixed by by-law of the association or council respectively; and in the absence of any rule or regulation as to the summoning of meetings of the association or of the council, the president, or in the event of his absence or death, either of the vice-presidents may summon the same for such time and place as he may think fit, by notice to be mailed to each member.

Who to preside at meetings.

27. In the event of the absence of the president from any meeting, either of the vice-presidents, or, in their absence, some other member to be chosen from among the members present shall act as president.

Majority to decide.

28.—(1) All questions submitted to the association or to the council shall be decided by a majority of the members present, except as otherwise provided by the by-laws of the association.

Quorum.

(2) Any twenty members of the association shall form a quorum.

Casting vote.

29. At all meetings the president for the time being shall have only a casting vote, and in the case of a tie at an election he shall have a casting vote in addition to his vote as a member of the association.

Payment of expenses of members of council.

30. There shall be paid to the members of the council such fees for attendance, and such reasonable travelling expenses as may be fixed by by-laws of the association passed at an annual meeting.

Officers' salaries.

31. The council may by by-law fix the salaries or fees to be paid to the officers of the association.

32. The council may pass by-laws not inconsistent with the provisions of this Part for:

Discipline.

(a) the admission and the government of the association;

Management of property.

(b) the management of the property of the association;

Fees of candidates.

(c) fixing, levying and collecting fees to be paid by candidates for membership and annual fees to be paid by members of the association;

Associates, honorary members.

(d) the creation of qualified classes of membership for associates and honorary members prescribing the qualifications for and the rights of each of such classes;

(e) all such other purposes as may be deemed necessary ^{Other} or convenient for the management of the affairs of ^{matters.} the association, and the conduct of its business;

and may alter and amend such by-laws when deemed advisable.

33. All candidates for membership shall be presented by ^{Admission} a member of the council and shall cause their full names to ^{of} be entered with the treasurer and shall pay such fees as shall ^{members.} be prescribed.

34. All fees payable under this Part may be recovered as ^{Recovery of} ordinary debts due to the association. ^{fees.}

35. The treasurer shall enter in books to be kept for that ^{Accounts} purpose a true account of all sums of money by him received ^{and} and paid under this Part, and such account shall be audited ^{audit.} by the auditor and submitted to the council and to the association when and so often as they may require.

PART IV.

REPEAL.

36. *The Architects Act*, being chapter 203 of the Revised ^{Repeal.} Statutes of Ontario, 1927, is repealed.

37. This Act shall come into force on the 1st day of ^{Commence-} July, 1931. ^{ment of Act.}

BILL

An Act to regulate the practice
of Architecture.

1st Reading

March 10th, 1931

2nd Reading

March 18th, 1931

3rd Reading

March 23rd, 1931

MR. OAKLEY

No. 58

2ND SESSION, 18TH LEGISLATURE, ONTARIO
21 GEORGE V, 1931

BILL

An Act respecting the Township of North York.

MR. MCBRIEN

(PRIVATE BILL)

TORONTO
PRINTED BY HERBERT H. BALL
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

BILL

An Act respecting the Township of North York.

Preamble.

WHEREAS the corporation of the township of North York has by its petition prayed for special legislation in respect to the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Township of North York Act, 1931*.

Tax sales
and con-
veyances
confirmed.

2.—(1) All sales of land within the township of North York made prior to the 31st day of December, 1929, which purport to have been made by the corporation of the township of North York or by its treasurer for arrears of taxes in respect to the lands so sold are hereby validated and confirmed and all conveyances of land so sold executed by the reeve, treasurer and clerk of the said corporation purporting to convey the said lands so sold to the purchaser thereof, or his heirs or assigns, shall have the effect of vesting the lands so sold in the purchaser or his heirs or assigns and his or their heirs and assigns in fee simple, clear of and free from all right, title and interest whatsoever of the owners thereof at the time of said sale, or their assigns, and clear of and free from all charges and encumbrances thereon and dower therein except taxes accruing after those for non-payment of which the said lands were sold.

Pending
litigation.

(2) Nothing in this section contained shall affect or prejudice the rights of any person under pending litigation.

Purchase of
certain lands
confirmed.

3.—(1) The purchase by the said corporation from The Trusts and Guarantee Company Limited, liquidator of the Toronto and York Radial Railways, of a portion of the North Toronto terminal of the Metropolitan Division of the said railways and being the lands described in schedule "A" hereto is hereby ratified and confirmed and declared to be binding upon the said corporation and the ratepayers thereof.

Use for
market, etc.

(2) The said corporation may use the said lands described in schedule "A" for market purposes and for such other municipal purposes as the council of the said corporation may determine.

By-law No.
1274 and
debentures
confirmed.

4. By-law number 1274 of the said corporation passed on the 26th day of January, 1931, and authorizing the borrowing of \$50,000 upon debentures to pay the purchase price of the lands described in schedule "A" and to pay for the reconstruction of the buildings erected thereon is hereby ratified and confirmed and the said by-law and the debentures to be issued thereunder are hereby declared to be binding upon the said corporation and the ratepayers thereof.

Application
of revenues
from lands
purchased
under s. 3.

5. The revenue derived by the said corporation from the said lands described in schedule "A" shall, after providing for the expenses and maintenance thereof, be paid over to the treasurer of the said corporation and shall be applied annually to the reduction or extinguishment of the rates required to be levied under said by-law number 1274 and, notwithstanding the provisions of the said by-law it shall not be necessary to levy any rate to provide for payments on account of the debentures authorized by such by-law except to the extent to which the revenues on hand are insufficient to meet the annual payments falling due on account of principal and interest of such debentures.

Municipal
agreement
as to rail-
ways con-
firmed.

6. The agreements made between the said corporation and the corporations of the townships of Markham and Vaughan, the city of Toronto, the village of Richmond Hill, and the county of York and the Toronto Transportation Commission, set out in schedules "B," "C" and "D" hereto, are hereby validated and confirmed and are hereby declared binding upon the parties thereto.

Rev. Stat.
c. 233, s. 306
not to apply
to limit
rates for
railway
purposes.

7. The special rates levied annually on the rateable property in the village of Richmond Hill and on the rateable property in portions of the townships of North York, Markham and Vaughan to pay for the cost of acquiring and reconstructing the assets referred to in the agreement set out in schedule "C" hereto and to meet the cost of operating the electric railway referred to in the agreement set out in schedule "D" shall be deemed to be local improvement rates for the purpose of section 306 of *The Municipal Act* and no such rate shall be deemed to be included in the rate of two and a half cents in the dollar referred to in that section for the purpose of determining whether the councils of the said village and townships may contract further debts.

Vesting of
railway
properties.

8. The property, real and personal, described in the agreement set out in schedule "C" is hereby vested in the corpora-

tions of the townships of North York, Markham and Vaughan, and the village of Richmond Hill in the proportions set out in the said agreement.

Yonge
Street
widening.

9.—(1) The said corporation may pass all necessary resolutions and by-laws authorizing the widening of Yonge Street from Old Yonge Street to 50th Avenue East in the said township by acquiring thirty-four feet of land lying immediately to the east of the east limit of the original sixty-six foot road allowance of Yonge Street, as a local improvement under the provisions of *The Local Improvement Act*.

Assessment
of cost.

(2) The council of the said corporation in the by-law undertaking such work, shall provide that one-third of the cost of such work shall be borne by the said corporation and the remainder of such cost shall be specially assessed and levied on the lots fronting or abutting on both sides of the portion of Yonge Street so widened by an equal special rate per foot frontage.

By-law No.
1275 and
debentures
confirmed.

10. By-law number 1275 of the said corporation passed on the 26th day of January, 1931, authorizing the borrowing of \$6,900 upon debentures to pay for the construction of a sewer on Brooke Street is hereby validated and confirmed and the said by-law and the debentures issued or to be issued thereunder are hereby declared to be binding upon the said corporation and the ratepayers thereof.

Assessment
for cost of
watermains
in Water
Area No. 1.

11.—(1) The council of the said corporation may in the by-law undertaking the construction of any watermain in water area number 1 in the said township, provide that a certain sum per foot frontage shall be specially assessed upon the land fronting or abutting directly on the work and that the remainder of the cost of such watermain shall be borne by the said water area.

Minimum
assessment
for the area.

(2) The portion of the cost to be borne by the said water area shall not be less than that which under section 3 of by-law number 111 of the said corporation passed on the 14th day of January, 1924, is to be included in the said corporation's or area's portion of the cost.

Voting
require-
ment.

(3) Any by-law passed pursuant to this section shall be passed by an affirmative vote of at least three-fourths of all the members of the council.

Hydrant
rentals.

12.—(1) The council of the said corporation may by by-law impose upon any defined section or area in the said township receiving a supply of water from water area number 1 a hydrant rental of twenty-five dollars per annum for each

1. The first part of the report deals with the general situation of the country and the progress of the work during the year.

2. The second part of the report deals with the results of the work during the year.

3. The third part of the report deals with the financial statement of the year.

4. The fourth part of the report deals with the general remarks of the year.

5. The fifth part of the report deals with the general remarks of the year.

6. The sixth part of the report deals with the general remarks of the year.

7. The seventh part of the report deals with the general remarks of the year.

8. The eighth part of the report deals with the general remarks of the year.

9. The ninth part of the report deals with the general remarks of the year.

10. The tenth part of the report deals with the general remarks of the year.

11. The eleventh part of the report deals with the general remarks of the year.

fire hydrant in such defined section or area and shall assess and levy the amount of such hydrant rental on all rateable property in such defined section or area of the township at the same time and in the same manner as other rates.

Application
of hydrant
rentals.

(2) The amount raised annually by the levying of such hydrant rental shall be used for the maintenance of the water supply system in said water area number 1.

1929, c. 110,
s. 3,
amended.

13. Subsection 6 of section 3 of *An Act respecting the Township of North York* passed in the nineteenth year of the reign of His Majesty King George the Fifth, chaptered 110 is repealed and the following substituted therefor:

Date and
business of
annual
school
meeting.

(6) The annual meeting of the electors as required by section 66 of *The Public Schools Act* shall be held at the time and place provided for in such Act and shall transact all business provided for thereby except the election of trustees.

Authority to
amend By-
law No. 714.

14.—(1) The council of the said corporation may by by-law amend by-law number 714 of the said corporation passed on the 21st day of January, 1929, by adding to the end of paragraph 2 of such by-law the following:

(e) the easterly forty (40) acres of the westerly half of lot 5 in concession 2 east of Yonge Street;

(f) the easterly half of lot 4 in concession 2 east of Yonge Street.

Additional
lands
rateable
under said
by-law.

(2) In the event of the said council passing a by-law pursuant to subsection 1 hereof the special rates and assessments levied to pay for the construction of the bridge authorized by said by-law number 714 shall be levied and assessed against the lands mentioned in subsection 1 hereof in addition to the lands against which such special rates and assessments are already levied and assessed.

Creation of
Housing
Commission
confirmed.

15.—(1) By-law number 455 of the said corporation creating a housing commission for the said township is hereby ratified and confirmed.

Powers, etc.,
of Com-
mission.

(2) The said housing commission and the officers and servants thereof may at any time exercise or perform any or all of the rights, powers or duties conferred or imposed upon the housing commission of the municipality of the township of York or its officers or servants by any agreement or agreements for the sale of lands assigned by the last-mentioned housing commission to the corporation of the township of North York pursuant to *The Housing Adjustment Act, 1927*.

Convey-
ances
validated.

(3) All conveyances of land heretofore or hereafter executed by the housing commission of the township of North York are declared to be valid and binding and shall have the effect of vesting the lands so conveyed in the grantee and his heirs and assigns in fee simple.

Commence-
ment of Act.

16. The provisions of this Act other than sections 2 and 9 shall come into force on the day upon which it receives the Royal Assent. Section 2 shall come into force on the 1st day of July, 1931, and section 9 shall be deemed to have come into force on the 1st day of January, 1931.

SCHEDULE "A"

All and singular that certain parcel or tract of land and premises situate, lying and being in the township of North York in the county of York and Province of Ontario, being composed of part of township lot No. 8, in the first concession east of Yonge Street in the township of York, which said parcel consists of lots lettered C, D, E, H, J and M, and parts of lots lettered F, G, K and L, as shown on an unregistered plan of part of the lands described in instrument No. 889 North York; which said parcel may be more particularly known and described as follows: premising that the north 8 degrees 32 minutes west of Yonge Street governs bearings herein, then, beginning at the intersection of the production westerly of the northerly limit of Doncliffe Drive as shown on plan No. 1488 with the easterly limit of Yonge Street; thence north 8 degrees 32 minutes west, along the easterly limit of Yonge Street seventy feet and seven and one-half inches to the point of commencement; thence north 8 degrees 32 minutes west, along the easterly limit of Yonge Street three hundred and fifty-three feet and one and one-half inches; thence north 74 degrees east, one hundred and twenty-five feet; thence south 8 degrees 32 minutes east two hundred and eighty-two feet and six inches; thence north 74 degrees east one hundred and thirty-two feet one and one-half inches to the westerly limit of Forest Glen Crescent as shown on plan No. 1975; thence southerly, along the said westerly limit of Forest Glen Crescent on a curve to the right, having a radius of four hundred and forty feet a distance of seventy-four feet and one inch; thence south 74 degrees west two hundred and forty-two feet more or less to the point of commencement.

"SCHEDULE "B"

THIS AGREEMENT made this 30th day of April, 1930, in pursuance of *The Township of North York Act, 1930.*

BETWEEN:

THE CORPORATION OF THE TOWNSHIP OF NORTH YORK,
hereinafter called the Party,

of the first part;

THE CORPORATION OF THE TOWNSHIP OF MARKHAM,
hereinafter called the Party,

of the second part;

THE CORPORATION OF THE TOWNSHIP OF VAUGHAN,
hereinafter called the Party,

of the third part;

—and—

THE CORPORATION OF THE VILLAGE OF RICHMOND HILL,
hereinafter called the Party,

of the fourth part.

Whereas the parties hereto are desirous of purchasing from the Corporation of the City of Toronto that portion of the Metropolitan Division of the Toronto and York Radial Railway lying south of the north limit of the Village of Richmond Hill pursuant to the provisions of *The Township of North York Act, 1930.*

And whereas the said *The Township of North York Act, 1930*, provides that the said parties shall enter into an Agreement with each other prescribing the proportions in which such parties shall bear all capital expenditures and all operating or other deficits which may arise from the operation of such railway.

Now therefore this Agreement witnesseth that in consideration of the premises, it is agreed by and between the parties hereto as follows:

1. The said parties hereto hereby agree with each other to purchase jointly from the Corporation of the City of Toronto that portion of the Metropolitan Division of the Toronto and York Radial Railways lying south of the north limit of Richmond Hill at the price of Seventy-five Thousand (\$75,000.00) Dollars pursuant to the provisions of *The Township of North York Act, 1930*.

2. The property to be acquired from the City of Toronto shall consist of the roadbed, bridges, trestles, culverts, fences, signs, tracks, poles and fixtures, distribution system, telephone and signal systems, including the restoration and construction of the block signal system from the north limit of the City of Toronto to the north limit of the Village of Richmond Hill, and shall also include the station property in the Village of Richmond Hill.

3. The cost of acquiring the said portion of the said Metropolitan Division of the Toronto and York Radial Railways and all capital expenditures and operating or other deficits in connection with the said Railway shall be borne by the parties hereto in the following proportions, namely:

The Corporation of the Township of North York fifty-five per cent.;

The Corporation of the Township of Markham eleven per cent.;

The Corporation of the Township of Vaughan eleven per cent.;

The Corporation of the Village of Richmond Hill twenty-three per cent.

4. The parties hereto shall own the property acquired from the City of Toronto pursuant to this agreement in the following proportions, namely:

The Corporation of the Township of North York fifty-five per cent.;

The Corporation of the Township of Markham eleven per cent.;

The Corporation of the Township of Vaughan eleven per cent.;

The Corporation of the Village of Richmond Hill twenty-three per cent.

5. In the event of the revenue from the said portion of the said Railway exceeding the operating costs the surplus revenue shall be divided amongst the parties hereto in the proportions in which such parties bear all capital expenditures.

6. The said Railway shall be operated by or on behalf of the said parties hereto for a period of fifteen years from the date of the acquisition thereof, but in the event of the amount required to be raised annually by any of the parties hereto for the payment of debentures and interest thereon and the payment of operating and other deficits being sufficient to require a special rate of eight mills on the dollar on the rateable property in the municipality or part thereof specially assessed to raise such amount, the Corporation concerned may apply to the Railway and Municipal Board for relief, and upon such application the Board may either provide that the operation of the said Railway be abandoned and the assets disposed of or may order a readjustment of the proportions in which the parties hereto shall bear all subsequent capital expenditures and operating or other deficits.

7. This agreement shall be subject to the approval of the Railway and Municipal Board.

In witness whereof the parties hereto have hereunto caused to be affixed their corporate seals under the hands of the proper officers in that behalf.

SIGNED, SEALED AND DELIVERED
in the presence of

THE CORPORATION OF THE TOWNSHIP OF NORTH YORK,

JAS. MUIRHEAD,
Reeve.

H. D. GOODE,
Clerk.

[SEAL]

THE CORPORATION OF THE TOWNSHIP OF MARKHAM,

W. C. GOHN,
Reeve.

G. A. M. DAVISON,
Clerk.

[SEAL]

THE CORPORATION OF THE TOWNSHIP OF VAUGHAN,

JAS. H. ROBSON,
Reeve.

J. B. MCLEAN,
Clerk.

[SEAL]

THE CORPORATION OF THE VILLAGE OF RICHMOND HILL,

J. LUNAU,
Reeve.

A. J. HUME,
Clerk.

[SEAL]

SCHEDULE "C"

THIS AGREEMENT made the 26th day of June, 1930.

In pursuance of *The Township of North York Act, 1930*.

BETWEEN:

THE CORPORATION OF THE CITY OF TORONTO,
hereinafter called the party

of the first part;

—and—

THE CORPORATION OF THE TOWNSHIP OF NORTH YORK,
THE CORPORATION OF THE TOWNSHIP OF MARKHAM,
THE CORPORATION OF THE TOWNSHIP OF VAUGHAN,
and THE CORPORATION OF THE VILLAGE OF RICHMOND HILL,
hereinafter called the parties

of the second part;

—and—

THE CORPORATION OF THE COUNTY OF YORK,
hereinafter called the party

of the third part.

Whereas the party of the first part is the owner of an electric radial railway known as the Metropolitan Division of the Toronto and York Radial Railways extending from the northerly limits of the City of Toronto to the Village of Sutton.

And whereas the parties of the second part are desirous of purchasing from the said party of the first part that part of the said Metropolitan Division of the Toronto and York Radial Railways lying south of the northerly limit of the Village of Richmond Hill.

And whereas by *The Township of North York Act, 1930*, the said parties of the second part are authorized to purchase and the party of the first part is authorized to sell that portion of the said Metropolitan Division of the Toronto and York Radial Railways lying south of the northerly limit of the Village of Richmond Hill.

And whereas the said party of the first part has agreed to sell to the parties of the second part and the said parties of the second part have agreed to purchase from the party of the first part the said portion of the said Railway on the terms hereinafter set out.

And whereas the party of the third part consents to the sale of the said portion of the said Railway by the party of the first part to the parties of the second part and joins in this agreement for the purpose of giving such consent and waiving and releasing any rights which it may have to take over or purchase the said railway or any part thereof.

Now therefore this agreement witnesseth that it is agreed by and between the parties hereto as follows:—

1. The party of the first part hereby agrees to sell to the parties of the second part and the parties of the second part agree to purchase from the said party of the first part that portion of the Metropolitan Division of the Toronto and York Radial Railways lying on Yonge Street south of the north limit of the Village of Richmond Hill and more particularly described in Schedule "A" hereto for the price of Seventy-five Thousand (\$75,000.00) Dollars.

2. The said sum of Seventy-five Thousand Dollars (\$75,000.00) shall be paid by the parties of the second part in the following proportions, namely:—

- (a) The Corporation of the Township of North York 55 per cent.;
- (b) The Corporation of the Township of Markham 11 per cent.;
- (c) The Corporation of the Township of Vaughan 11 per cent.;
- (d) The Corporation of the Village of Richmond Hill 23 per cent.

3. Upon payment by the parties of the second part to the party of the first part of the said sum of Seventy-five Thousand Dollars (\$75,000.00) as aforesaid the said party of the first part will convey to the parties of the second part that portion of the said Metropolitan Division of the Toronto and York Radial Railways lying south of the north limit of the Village of Richmond Hill and consisting of the real and personal property described in Schedule "A" hereto, free from all claims, liens, charges and encumbrances of any kind whatsoever, save for the bonds of the Hydro Electric Power Commission of Ontario to the amount of \$1,875,000.00 hereinafter mentioned charged upon the said Metropolitan Division by *The Toronto Radial Railway Act, 1921*, and such conveyance or transfer shall vest such real and personal property (subject to the said bonds charged thereon) in the parties of the second part in the following proportions, namely:—

- (a) The Corporation of the Township of North York 55 per cent.;
- (b) The Corporation of the Township of Markham 11 per cent.;
- (c) The Corporation of the Township of Vaughan 11 per cent.;
- (d) The Corporation of the Village of Richmond Hill 23 per cent.

4. The party of the first part will from time to time pay to the Hydro Electric Power Commission of Ontario the amounts required by the said Commission to make the payments of principal and interest on the bonds hereinbefore mentioned to the amount of \$1,875,000.00 charged upon the said Metropolitan Division as such payments respectively fall due, and will indemnify and save harmless the parties of the second part from all loss, claims, damages, costs, and charges of any kind whatsoever arising directly or indirectly out of a breach of this covenant in respect to the payment of the interest and principal of the said bonds.

5. The parties of the second part shall be entitled to possession of the said portion of the said Railway forthwith after payment of the said sum of Seventy-five Thousand Dollars (\$75,000.00).

6. The party of the third part hereby consents to the sale of the real and personal property described in Schedule "A" hereto by the party of the first part to the parties of the second part and hereby waives and releases any right which the said party of the third part may have to take over or purchase the said Metropolitan Division of the Toronto and York Radial Railways or any part thereof or any property or assets of same.

7. And the parties of the second part hereby covenant with the party of the third part that in the event of the said party of the third part or any local municipality or municipalities in the County of York purchasing or acquiring the whole or any part of that portion of the said Metropolitan Division of the Toronto and York Radial Railway lying north of the north limit of the said Village of Richmond Hill or building and operating any new railway north of the said north limit of the said Village of Richmond Hill the said parties of the second part will grant to the said party of the third part or to such local municipality or municipalities such running rights over the portion of the said Metropolitan Division lying south of the north limit of the said Village of Richmond Hill as may be agreed upon and if not agreed upon as may be determined by the Ontario Railway and Municipal Board. Provided, however, that the party of the third part or such local municipality or municipalities shall pay to the parties of the second part the actual cost of operating the cars of the said party of the third part or of such local municipality or municipalities over the tracks and lines of the said parties of the second part and such actual cost shall, if not agreed upon, be determined by the Ontario Railway and Municipal Board.

8. The parties hereto agree to co-operate to secure the validation of this agreement by such legislation as may be necessary.

9. The party of the first part hereby agrees to and with the party of the third part that in order to give the local municipalities lying along the said Metropolitan Railway north of the said Village of Richmond Hill an opportunity of purchasing the said railway no part of the said railway lying north of the north limit of the said Village shall be dismantled before the 15th day of September, 1930.

In witness whereof the parties hereto have hereunto affixed their corporate seals under the hands of the proper officers in that behalf.

THE CORPORATION OF THE CITY OF TORONTO,

BERT S. WEMP,
Mayor.

[SEAL]

H. REBURN,
Deputy City Treasurer.

THE CORPORATION OF THE TOWNSHIP OF NORTH YORK.

JAS. MUIRHEAD,
Reeve.

[SEAL]

H. D. GOODE,
Clerk.

THE CORPORATION OF THE TOWNSHIP OF MARKHAM,

W. C. GOHN,
Reeve.

[SEAL]

G. A. M. DAVISON,
Clerk.

THE CORPORATION OF THE TOWNSHIP OF VAUGHAN,

JAS. H. ROBSON,
Reeve.

[SEAL]

J. B. MCLEAN,
Clerk.

THE CORPORATION OF THE VILLAGE OF RICHMOND HILL,

J. LUNAU,
Reeve.

[SEAL]

A. J. HUME,
Clerk.

THE CORPORATION OF THE COUNTY OF YORK,

E. G. FARR,
Warden.

[SEAL]

R. W. PHILLIPS,
Clerk.

Schedule "A."

Metropolitan Division, Toronto and York Radial Railway, North City limits to North limit of Village of Richmond Hill.

The above section of the Metropolitan Division for the purpose of this Agreement shall consist of real estate, buildings, roadbed, bridges, culverts, signs, track, poles and fixtures, distribution system, telephone line, and the installation of a block signal system, the whole constituting a single track electrical railway with sidings, spurs and all necessary appurtenances, extending from 174 feet north of the northerly limit of the City of Toronto on Yonge Street to the northerly limits of the Village of Richmond Hill on Yonge Street, a distance of approximately 10.32 miles, and including certain real estate within the Village of Richmond Hill, all as set out more particularly in the following schedule.

REAL ESTATE

Station property in Richmond Hill Village on the east side of Yonge Street, being part of Lots A and B, Plan 511, County of York, 58 feet by 137 feet.

BUILDINGS

Thornhill Golf Club (Stop 17) Shelter on west side of Yonge Street, 12 feet by 8 feet galvanized.

Lot 40 (Stop 23) Shelter 10 feet 2 inches by 7 feet 11 inches, frame building on sills, shingle French roof.

Richmond Hill—Station and freight room, 33 feet 2½ inches by 22 feet 2½ inches, frame building shingle roof.

ROADWAY

Extending from a point on Yonge Street 174 feet north of the northerly City limits on Yonge Street to the north limits of Richmond Hill Village, a distance of approximately 10.32 miles, including bridges, trestles and culverts, track work with all turnouts and sidings, poles and fixtures, railway direct current power distribution system, with feeders, telephone system, block signal system and signs.

The foregoing items do not include conductors transmitting alternating current, nor cross-arms, pins, insulators, conductors, lighting equipment, transformers, switches, meters and other accessories used exclusively for the transmission, distribution or use of alternating current power, which were retained by the Hydro Electric Power Commission of Ontario or by the Municipalities under the Statute 17 Geo. V, Chapter 58, and also do not include the poles on Yonge Street between the north limit of the City of Toronto and York Mills Sub-station carrying 13 kilovolt circuits.

FURNITURE

Furniture and fixtures in the Richmond Hill Station and Freight House.

SCHEDULE "D"

THIS AGREEMENT made this 17th day of July, 1930.

BETWEEN:

THE CORPORATION OF THE TOWNSHIP OF NORTH YORK,
THE CORPORATION OF THE TOWNSHIP OF MARKHAM,
THE CORPORATION OF THE TOWNSHIP OF VAUGHAN, and
THE CORPORATION OF THE VILLAGE OF RICHMOND HILL,
hereinafter called the "Corporations"

of the first part;

—and—

THE TORONTO TRANSPORTATION COMMISSION,
hereinafter called the "Commission"

of the second part.

Whereas by *The Township of North York Act, 1930*, the Corporations are granted certain powers to acquire that portion of the Railway known as Metropolitan Division of the Toronto and York Radial Railways lying south of the north limit of Richmond Hill and may enter into agreements with the Commission for the operation thereof.

And whereas by By-law No. 1051 of the Township of North York, By-law No. 950 of the Township of Markham, By-law No. 1265 of the Township of Vaughan, and By-law No. 397 of the Village of Richmond Hill, the Corporations have authorized the execution and delivery of this agreement.

And whereas the Commission has agreed to operate the said Railway for the Corporation on the terms and conditions hereinafter set out.

Now therefore this agreement witnesseth that the parties hereto have agreed as follows:—

1. The Commission will, provided the terms and conditions hereinafter set out are fulfilled by the Corporations, operate the electric railway lying on Yonge Street and extending from 174 feet north of the northerly limit of the City of Toronto on the east side of Yonge Street to the northerly limit of the Village of Richmond Hill, for and on behalf of the Corporations, provided however, that under no circumstances is the Commission or the Corporation of the City of Toronto to be at any cost or expense or to incur any liability by reason of such operation.

2. The transportation service to be furnished by the Commission shall be by a modern type of car capable of maintaining a satisfactory speed and giving adequate service.

3. The Commission shall have the sole management of the transportation service to be furnished hereunder and shall arrange for the cars, crews and necessary equipment, hours of service, running time, stops and everything else necessary or incidental to the said transportation system, including the maintenance of the said system.

4. The Corporations agree that during the term of this agreement they will take all means within their power to ensure to the Commission the exclusive rights of furnishing in any manner whatsoever, local transportation within the areas served by the said railway and that in particular they will pass and enforce such by-laws as they may legally pass to prevent the operation of busses or jitneys within such areas, and the Commission agrees that it will not, either itself or through any company or corporation which it directly or indirectly controls, operate any system of busses within the said areas so as to compete with the said Railway. It is understood that the carriage of passengers to and from points north of the south side of the cross roads at Elgin Mills, being the north limit of Lot No. 50, Concession 1, Townships of Vaughan and Markham, from or to points

within the area served by the railway, shall not be deemed competition within the meaning of this section.

5. All claims, or actions for alleged negligence in the operation of said railway shall be made against the Commission and dealt with by it and the Commission shall have, through its solicitor, the conduct and control of such claims and actions and of any action brought against the Corporations or any of them in respect of such alleged negligence and may defend or compromise the same as it seems expedient.

6. In respect of injuries and damages, the only amount chargeable by the Commission shall be the same annual cost per car mile as is from time to time incurred by the Commission in the operation of its system in and about the City of Toronto, in respect of such items, including therein administration and legal expenses.

7. As soon as practicable after the execution of this agreement the Commission shall, if it deems it necessary, construct a sub-station on a site approved by the Corporations and will endeavour to instal therein the two motor-generator sets at present in the Bond Lake sub-station of the said Metropolitan Division, and the said sub-station and generators shall be the property of the Corporations.

8. The Commission will endeavour to construct a sub-station and acquire and instal the motor generators referred to in Paragraph 7 hereof at a cost not exceeding \$30,000.00, and such costs shall be borne by the Corporations in the following proportions, namely:—

The Corporation of the Township of North York 55 per cent.;
The Corporation of the Township of Markham 11 per cent.;
The Corporation of the Township of Vaughan 11 per cent.;
The Corporation of the Village of Richmond Hill 23 per cent.

9. It is understood and agreed that if the Commission finds that there is any possibility of the actual cost of the work referred to in Paragraphs 7 and 8 exceeding \$30,000.00, the Commission will, before proceeding with such work, notify the Corporations and the Corporations may construct and equip such substation in a manner that will insure efficient operation of the said railway.

10. When any of the Corporations desire to do any work which may in any way affect the said Railway, it shall, except in cases of emergency, give the Commission reasonable notice thereof, and shall bear the full cost of repairing or replacing any part of such Railway injured or destroyed by the carrying out of such work.

11. The Commission may, by sweepers or otherwise, remove snow from its right-of-way and no portion of the cost of the removal of any snow save as aforesaid shall be charged against the operation of the railway.

12. The Commission may, with the consent of the Corporations or by order of the Ontario Railway and Municipal Board, make such capital expenditures as may be necessary to the efficient operation of the said railway.

13. After the close of each calendar year the Commission will prepare a report to the Corporations giving a complete certified financial statement of its operation of the said railway during the preceding year and such statement shall, if the Corporations or any of them so desire, be subject to an audit by one independent auditor to be agreed on by the Corporations and the Commission, or in case of dispute, to be selected by the Ontario Railway and Municipal Board.

14. The Treasurer of any of the Corporations or, with the approval of the Commission, any other qualified person authorized by the Council of any such Corporations in the place of the Treasurer, shall at all times during the currency of this agreement, have, on request, access to the books and vouchers of the Commission dealing with receipts or expenditures in connection with the services provided for hereunder, and the

Corporations shall once a year during the currency of this agreement, have the right to have one independent audit made of the books and vouchers of the Commission dealing with the operation of the said Railway, by an auditor as set out in Clause 13 hereof. In the event of the Corporations and the Commission being unable to agree upon an auditor the Ontario Railway and Municipal Board shall have power to select an auditor to make such audit.

15. Should the gross revenues exceed the cost of operation the Corporations shall receive the surplus revenue quarterly in the following proportions:—

The Corporation of the Township of North York 55 per cent.;
 The Corporation of the Township of Markham 11 per cent.;
 The Corporation of the Township of Vaughan 11 per cent.;
 The Corporation of the Village of Richmond Hill 23 per cent.

16. If for any reason the revenue from the said railway for a period of three consecutive calendar months shall be insufficient to meet the annual cost of operation and maintenance for such period the Corporations shall pay to the Commission forthwith on demand the amount of any such deficiency in the following proportions:—

The Corporation of the Township of North York 55 per cent.;
 The Corporation of the Township of Markham 11 per cent.;
 The Corporation of the Township of Vaughan 11 per cent.;
 The Corporation of the Village of Richmond Hill 23 per cent.

17. The Commission is to be allowed the sum of seven per cent. of the gross total expenses of operation to reimburse it for its cost of administration and management in connection with the operation of the said Railway and such moneys shall be retained by the Commission for its own use.

18. The system of accounting to be used by the Commission shall be the classification of accounts for use of electric railways prescribed by the Interstate Commerce Commission of the United States, dated July 1st, 1914, and any further revisions thereof.

19. The Commission shall, subject to the approval of the Ontario Railway and Municipal Board, fix the tolls and fares to be charged on the said Railway and in so doing shall endeavour to fix such tolls and fares so that the revenue derived from the operation of such Railway shall be sufficient to meet the full operating cost thereof, including the amount required to meet all capital charges.

20. Subject to the provisions of Section 21 hereof, this agreement shall continue in force for a period of 15 years. Provided, however, that the Corporations may, upon first giving to the Commission at least six months' notice in writing of their intention to so do, terminate this agreement on the 17th day of July, 1935, or on the 17th day of July in any year thereafter.

21. It is understood and agreed by and between the Corporations and the Commission that if the Corporations cease to operate the said railway, either by their own officers, workmen and servants or by their operating agents before the expiration of 15 years from the date hereof, and the Commission, either on its own behalf or on behalf of any company or corporation controlled by it, applies to the Minister of Highways for the re-granting of the present permit held by the Gray Coach Lines Limited or a new permit to operate busses on Yonge Street in the area proposed to be served by the said railway, the Corporation will, if requested by the Commission so to do, consent in writing to the granting of such permit during such cessation of operation and will not give such consent to any other person or corporation, other than one of the Corporations herein applying for the aforesaid permit.

22. In the event of the Commission making any capital expenditures, such expenditures shall be borne by the said Corporations in the following proportions:—

The Corporation of the Township of North York 55 per cent.;
 The Corporation of the Township of Markham 11 per cent.;
 The Corporation of the Township of Vaughan 11 per cent.;
 The Corporation of the Village of Richmond Hill 23 per cent.

and each of such Corporations agrees to pay its portion of such expenditure to the Commission forthwith after demand.

23. In the event of any application being made to the Ontario Railway and Municipal Board pursuant to an agreement between the Corporations dated April 30th, 1930, and the said Board ordering that the said Railway be abandoned, this agreement shall terminate on the date fixed by the said Board for the abandonment of the said railway and in the event of the said Board on any such application varying the proportions in which deficits and capital expenditures are to be borne by the said Corporations, the provisions of this agreement shall be deemed to be amended by the order of the said Board in so far as any amendment is necessary in order to give effect to such order.

24. The Corporations agree to furnish adequate street lighting on any section of Yonge Street where such lighting is necessary having regard to all local conditions, and in the event of any dispute arising as to the necessity for such street lighting the matters in dispute shall be referred to the Ontario Railway and Municipal Board and the decision of such Board shall be final and conclusive. The cost of such street lighting shall be borne by the municipality wherein the lighting aforesaid is required.

25. All agreements between the Corporation of the City of Toronto or the Toronto Transportation Commission and the Hydro Electric Power Commission of Ontario regarding the joint use of poles shall remain in full force and effect, and all moneys hereafter falling due under such agreements shall be collected by the Commission in accordance with such agreements and shall be credited to the railway operated for the Corporations.

26. The agreement between the Toronto Transportation Commission and the Corporation of the Village of Richmond Hill regarding the construction and maintenance of the pavement on Yonge Street in the Village of Richmond Hill shall remain in full force and effect.

27. The Corporations shall, upon the termination of this agreement, indemnify and save harmless the Commission from all claims, demands and obligations whatsoever in respect of the operation of the said railway by the Commission for the Corporations.

28. If for any reason the revenue from the street railway for a period of three consecutive calendar months shall be insufficient to meet the full costs for such period of the maintenance, repair and operation thereof, the Corporations shall pay to the Commission forthwith on demand the amount of any such deficiency in the proportions set out in Paragraph 16 hereof. Provided that in the event of the neglect of any of such Corporations to pay the proper proportion of such amount within thirty (30) days of such demand, the Commission may, without further notice, discontinue the operation of the said street railway and it and the other parties hereto may recover from the Corporation in default any damage sustained by reason of such default, but such discontinuance of operation shall not release any party from this agreement. And provided further, that the Corporations not in default, without prejudice to their rights under this agreement, may at their option pay the amount in default by the other Corporation and shall have the right to recover the amount of such payment from such Corporation in default.

29. The parties hereto agree to use their best endeavours to have this agreement ratified and confirmed by legislation at the next ensuing session of the Legislature of the Province of Ontario.

In witness whereof the parties hereto have hereunto caused to be affixed their corporate seals attested by the hands of their proper officers in that behalf.

THE TORONTO TRANSPORTATION COMMISSION,

(Sgd.) J. J. HUBBARD, *Chairman.*

(Sgd.) H. S. CAMERON, *Secretary.*

THE CORPORATION OF THE TOWNSHIP OF MARKHAM,

(Sgd.) W. C. GOHN, *Reeve.*

(Sgd.) G. A. M. DAVISON, *Clerk.*

TOWNSHIP OF NORTH YORK,

(Sgd.) GEORGE B. ELLIOTT,

First Deputy Reeve.

(Sgd.) H. D. GOODE, *Clerk.*

THE CORPORATION OF THE TOWNSHIP OF VAUGHAN,

(Sgd.) JAS. H. ROBSON, *Reeve.*

(Sgd.) J. B. MCLEAN, *Clerk.*

VILLAGE OF RICHMOND HILL,

(Sgd.) J. LUNAU, *Reeve.*

(Sgd.) A. J. HUME, *Clerk.*

BILL

An Act respecting the Township of
North York.

1st Reading

2nd Reading

3rd Reading

MR. MCBRIEN

(*Private Bill*)

No. 58

2ND SESSION, 18TH LEGISLATURE, ONTARIO

21 GEORGE V, 1931

BILL

An Act respecting the Township of North York.

MR. MCBRIEN

TORONTO

PRINTED BY HERBERT H. BALL

PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

BILL

An Act respecting the Township of North York.

Preamble.

WHEREAS the corporation of the township of North York has by its petition prayed for special legislation in respect to the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Township of North York Act, 1931*.

Tax sales
and con-
veyances
confirmed.

2.—(1) All sales of land within the township of North York made prior to the 31st day of December, 1929, which purport to have been made by the corporation of the township of North York or by its treasurer for arrears of taxes in respect to the lands so sold are hereby validated and confirmed and all conveyances of land so sold executed by the reeve, treasurer and clerk of the said corporation purporting to convey the said lands so sold to the purchaser thereof, or his heirs or assigns, shall have the effect of vesting the lands so sold in the purchaser or his heirs or assigns and his or their heirs and assigns in fee simple, clear of and free from all right, title and interest whatsoever of the owners thereof at the time of said sale, or their assigns, and clear of and free from all charges and encumbrances thereon and dower therein except taxes accruing after those for non-payment of which the said lands were sold.

Pending
litigation.

(2) Nothing in this section contained shall affect or prejudice the rights of any person under any action, litigation or other proceedings now pending, but the same may be proceeded with and finally adjudicated upon in the same manner and as fully and effectually as if this Act had not been passed.

Purchase of
certain lands
confirmed.

3.—(1) The purchase by the said corporation from The Trusts and Guarantee Company Limited, liquidator of the Toronto and York Radial Railways, of a portion of the North Toronto terminal of the Metropolitan Division of the said railways and being the lands described in schedule "A"

hereto is hereby ratified and confirmed and declared to be binding upon the said corporation and the ratepayers thereof.

(2) The said corporation may use the said lands described in schedule "A" for market purposes and for such other municipal purposes as the council of the said corporation may determine. Use for market, etc.

4. By-law number 1274 of the said corporation passed on the 26th day of January, 1931, and authorizing the borrowing of \$50,000 upon debentures to pay the purchase price of the lands described in schedule "A" and to pay for the reconstruction of the buildings erected thereon is hereby ratified and confirmed and the said by-law and the debentures to be issued thereunder are hereby declared to be binding upon the said corporation and the ratepayers thereof. By-law No. 1274 and debentures confirmed.

5. The revenue derived by the said corporation from the said lands described in schedule "A" shall, after providing for the expenses and maintenance thereof, be paid over to the treasurer of the said corporation and shall be applied annually to the reduction or extinguishment of the rates required to be levied under said by-law number 1274 and, notwithstanding the provisions of the said by-law it shall not be necessary to levy any rate to provide for payments on account of the debentures authorized by such by-law except to the extent to which the revenues on hand are insufficient to meet the annual payments falling due on account of principal and interest of such debentures. Application of revenues from lands purchased under s. 3.

6. The agreements made between the said corporation and the corporations of the townships of Markham and Vaughan, the city of Toronto, the village of Richmond Hill, and the county of York and the Toronto Transportation Commission, set out in schedules "B," "C" and "D" hereto, are hereby validated and confirmed and are hereby declared binding upon the parties thereto. Municipal agreement as to railways confirmed.

7. The special rates levied annually on the rateable property in the village of Richmond Hill and on the rateable property in portions of the townships of North York, Markham and Vaughan to pay for the cost of acquiring and reconstructing the assets referred to in the agreement set out in schedule "C" hereto and to meet the cost of operating the electric railway referred to in the agreement set out in schedule "D" shall be deemed to be local improvement rates for the purpose of section 306 of *The Municipal Act* and no such rate shall be deemed to be included in the rate of two and a half cents in the dollar referred to in that section for the purpose of determining whether the councils of the said village and townships may contract further debts. Rev. Stat. c. 233, s. 306 not to apply to limit rates for railway purposes.

Vesting of
railway
properties.

8. The property, real and personal, described in the agreement set out in schedule "C" is hereby vested in the corporations of the townships of North York, Markham and Vaughan, and the village of Richmond Hill in the proportions set out in the said agreement.

Yonge
Street
widening.

9.—(1) The said corporation may pass all necessary resolutions and by-laws authorizing the widening of Yonge Street from Old Yonge Street to 50th Avenue East in the said township by acquiring thirty-four feet of land lying immediately to the east of the east limit of the original sixty-six foot road allowance of Yonge Street, as a local improvement under the provisions of *The Local Improvement Act*.

Assessment
of cost.

(2) The council of the said corporation in the by-law undertaking such work, shall provide that one-third of the cost of such work shall be borne by the said corporation and the remainder of such cost shall be specially assessed and levied on the lots fronting or abutting on both sides of the portion of Yonge Street so widened by an equal special rate per foot frontage.

By-law No.
1275 and
debentures
confirmed.

10. By-law number 1275 of the said corporation passed on the 26th day of January, 1931, authorizing the borrowing of \$6,900 upon debentures to pay for the construction of a sewer on Brooke Street is hereby validated and confirmed and the said by-law and the debentures issued or to be issued thereunder are hereby declared to be binding upon the said corporation and the ratepayers thereof.

Assessment
for cost of
watermains
in Water
Area No. 1.

11.—(1) The council of the said corporation may in the by-law undertaking the construction of any watermain in water area number 1 in the said township, provide that a certain sum per foot frontage shall be specially assessed upon the land in said area fronting or abutting directly on the work and that the remainder of the cost of such watermain shall be borne by the said water area.

Minimum
assessment
for the area.

(2) The portion of the cost to be borne by the said water area shall not be less than that which under section 3 of by-law number 111 of the said corporation passed on the 14th day of January, 1924, is to be included in the said corporation's or area's portion of the cost.

Voting
require-
ment.

(3) Any by-law passed pursuant to this section shall be passed by an affirmative vote of at least three-fourths of all the members of the council.

Hydrant
rentals.

12.—(1) The council of the said corporation may by by-law impose upon any defined section or area in the said township

receiving a supply of water from water area number 1 a hydrant rental of twenty-five dollars per annum for each fire hydrant in such defined section or area and shall assess and levy the amount of such hydrant rental on all rateable property in such defined section or area of the township at the same time and in the same manner as other rates.

(2) The amount raised annually by the levying of such hydrant rental shall be used for the maintenance of the water supply system in said water area number 1. Application of hydrant rentals.

13. Subsection 6 of section 3 of *An Act respecting the Township of North York* passed in the nineteenth year of the reign of His Majesty King George the Fifth, chaptered 110 is repealed and the following substituted therefor: 1929, c. 110, s. 3, amended.

(6) The annual meeting of the electors as required by section 66 of *The Public Schools Act* shall be held at the time and place provided for in such Act and shall transact all business provided for thereby except the election of trustees. Date and business of annual school meeting.

14.—(1) The council of the said corporation may by by-law amend by-law number 714 of the said corporation passed on the 21st day of January, 1929, by adding to the end of paragraph 2 of such by-law the following: Authority to amend By-law No. 714.

(e) the easterly forty (40) acres of the westerly half of lot 5 in concession 2 east of Yonge Street;

(2) In the event of the said council passing a by-law pursuant to subsection 1 hereof the special rates and assessments levied to pay for the construction of the bridge authorized by said by-law number 714 shall be levied and assessed against the lands mentioned in subsection 1 hereof in addition to the lands against which such special rates and assessments are already levied and assessed. Additional lands rateable under said by-law.

15.—(1) By-law number 455 of the said corporation creating a housing commission for the said township is hereby ratified and confirmed. Creation of Housing Commission confirmed.

(2) The said housing commission and the officers and servants thereof may at any time exercise or perform any or all of the rights, powers or duties conferred or imposed upon the housing commission of the municipality of the township of York or its officers or servants by any agreement or agreements for the sale of lands assigned by the last-mentioned housing commission to the corporation of the township of North York pursuant to *The Housing Adjustment Act, 1927.* Powers, etc., of Commission. 1927, c. 74.

Convey-
ances
validated.

(3) All conveyances of land heretofore or hereafter executed by the housing commission of the township of North York are declared to be valid and binding and shall have the effect of vesting the lands so conveyed in the grantee and his heirs and assigns in fee simple.

Commence-
ment of Act.

16. The provisions of this Act other than sections 2 and 9 shall come into force on the day upon which it receives the Royal Assent. Section 2 shall come into force on the 1st day of July, 1931, and section 9 shall be deemed to have come into force on the 1st day of January, 1931.

SCHEDULE "A"

All and singular that certain parcel or tract of land and premises situate, lying and being in the township of North York in the county of York and Province of Ontario, being composed of part of township lot No. 8, in the first concession east of Yonge Street in the township of York, which said parcel consists of lots lettered C, D, E, H, J and M, and parts of lots lettered F, G, K and L, as shown on an unregistered plan of part of the lands described in instrument No. 889 North York; which said parcel may be more particularly known and described as follows: premising that the north 8 degrees 32 minutes west of Yonge Street governs bearings herein, then, beginning at the intersection of the production westerly of the northerly limit of Doncliffe Drive as shown on plan No. 1488 with the easterly limit of Yonge Street; thence north 8 degrees 32 minutes west, along the easterly limit of Yonge Street seventy feet and seven and one-half inches to the point of commencement; thence north 8 degrees 32 minutes west, along the easterly limit of Yonge Street three hundred and fifty-three feet and one and one-half inches; thence north 74 degrees east, one hundred and twenty-five feet; thence south 8 degrees 32 minutes east two hundred and eighty-two feet and six inches; thence north 74 degrees east one hundred and thirty-two feet one and one-half inches to the westerly limit of Forest Glen Crescent as shown on plan No. 1975; thence southerly, along the said westerly limit of Forest Glen Crescent on a curve to the right, having a radius of four hundred and forty feet a distance of seventy-four feet and one inch more or less to an iron bar planted at the point of intersection with a line drawn parallel to the said northerly limit of Doncliffe Drive from the point of commencement; thence westerly two hundred and forty-two feet more or less to the point of commencement.

"SCHEDULE "B"

THIS AGREEMENT made this 30th day of April, 1930, in pursuance of *The Township of North York Act, 1930.*

BETWEEN:

THE CORPORATION OF THE TOWNSHIP OF NORTH YORK,
hereinafter called the Party,
of the first part;

THE CORPORATION OF THE TOWNSHIP OF MARKHAM,
hereinafter called the Party,
of the second part;

THE CORPORATION OF THE TOWNSHIP OF VAUGHAN,
hereinafter called the Party,
of the third part;

—and—

THE CORPORATION OF THE VILLAGE OF RICHMOND HILL,
hereinafter called the Party,
of the fourth part.

Whereas the parties hereto are desirous of purchasing from the Corporation of the City of Toronto that portion of the Metropolitan Division of the Toronto and York Radial Railway lying south of the north limit of the Village of Richmond Hill pursuant to the provisions of *The Township of North York Act, 1930.*

And whereas the said *The Township of North York Act, 1930*, provides that the said parties shall enter into an Agreement with each other prescribing the proportions in which such parties shall bear all capital expenditures and all operating or other deficits which may arise from the operation of such railway.

Now therefore this Agreement witnesseth that in consideration of the premises, it is agreed by and between the parties hereto as follows:

1. The said parties hereto hereby agree with each other to purchase jointly from the Corporation of the City of Toronto that portion of the Metropolitan Division of the Toronto and York Radial Railways lying south of the north limit of Richmond Hill at the price of Seventy-five Thousand (\$75,000.00) Dollars pursuant to the provisions of *The Township of North York Act, 1930*.

2. The property to be acquired from the City of Toronto shall consist of the roadbed, bridges, trestles, culverts, fences, signs, tracks, poles and fixtures, distribution system, telephone and signal systems, including the restoration and construction of the block signal system from the north limit of the City of Toronto to the north limit of the Village of Richmond Hill, and shall also include the station property in the Village of Richmond Hill.

3. The cost of acquiring the said portion of the said Metropolitan Division of the Toronto and York Radial Railways and all capital expenditures and operating or other deficits in connection with the said Railway shall be borne by the parties hereto in the following proportions, namely:

The Corporation of the Township of North York fifty-five per cent.;

The Corporation of the Township of Markham eleven per cent.;

The Corporation of the Township of Vaughan eleven per cent.;

The Corporation of the Village of Richmond Hill twenty-three per cent.

4. The parties hereto shall own the property acquired from the City of Toronto pursuant to this agreement in the following proportions, namely:

The Corporation of the Township of North York fifty-five per cent.;

The Corporation of the Township of Markham eleven per cent.;

The Corporation of the Township of Vaughan eleven per cent.;

The Corporation of the Village of Richmond Hill twenty-three per cent.

5. In the event of the revenue from the said portion of the said Railway exceeding the operating costs the surplus revenue shall be divided amongst the parties hereto in the proportions in which such parties bear all capital expenditures.

6. The said Railway shall be operated by or on behalf of the said parties hereto for a period of fifteen years from the date of the acquisition thereof, but in the event of the amount required to be raised annually by any of the parties hereto for the payment of debentures and interest thereon and the payment of operating and other deficits being sufficient to require a special rate of eight mills on the dollar on the rateable property in the municipality or part thereof specially assessed to raise such amount, the Corporation concerned may apply to the Railway and Municipal Board for relief, and upon such application the Board may either provide that the operation of the said Railway be abandoned and the assets disposed of or may order a readjustment of the proportions in which the parties hereto shall bear all subsequent capital expenditures and operating or other deficits.

7. This agreement shall be subject to the approval of the Railway and Municipal Board.

In witness whereof the parties hereto have hereunto caused to be affixed their corporate seals under the hands of the proper officers in that behalf.

SIGNED, SEALED AND DELIVERED
in the presence of

THE CORPORATION OF THE TOWNSHIP OF NORTH YORK,

JAS. MUIRHEAD,
Reeve.

H. D. GOODE,
Clerk.

THE CORPORATION OF THE TOWNSHIP OF MARKHAM, [SEAL]

W. C. GOHN,
Reeve.

G. A. M. DAVISON, [SEAL]
Clerk.

THE CORPORATION OF THE TOWNSHIP OF VAUGHAN,

JAS. H. ROBSON,
Reeve.

J. B. MCLEAN, [SEAL]
Clerk.

THE CORPORATION OF THE VILLAGE OF RICHMOND HILL,

J. LUNAU,
Reeve.

A. J. HUME, [SEAL]
Clerk.

SCHEDULE "C"

THIS AGREEMENT made the 26th day of June, 1930.

In pursuance of *The Township of North York Act, 1930.*

BETWEEN:

THE CORPORATION OF THE CITY OF TORONTO,
hereinafter called the party of the first part;

—and—

THE CORPORATION OF THE TOWNSHIP OF NORTH YORK,
THE CORPORATION OF THE TOWNSHIP OF MARKHAM,
THE CORPORATION OF THE TOWNSHIP OF VAUGHAN,
and THE CORPORATION OF THE VILLAGE OF RICHMOND HILL,
hereinafter called the parties of the second part;

—and—

THE CORPORATION OF THE COUNTY OF YORK,
hereinafter called the party of the third part.

Whereas the party of the first part is the owner of an electric radial railway known as the Metropolitan Division of the Toronto and York Radial Railways extending from the northerly limits of the City of Toronto to the Village of Sutton.

And whereas the parties of the second part are desirous of purchasing from the said party of the first part that part of the said Metropolitan Division of the Toronto and York Radial Railways lying south of the northerly limit of the Village of Richmond Hill.

And whereas by *The Township of North York Act, 1930*, the said parties of the second part are authorized to purchase and the party of the first part is authorized to sell that portion of the said Metropolitan Division of the Toronto and York Radial Railways lying south of the northerly limit of the Village of Richmond Hill.

And whereas the said party of the first part has agreed to sell to the parties of the second part and the said parties of the second part have agreed to purchase from the party of the first part the said portion of the said Railway on the terms hereinafter set out.

And whereas the party of the third part consents to the sale of the said portion of the said Railway by the party of the first part to the parties of the second part and joins in this agreement for the purpose of giving such consent and waiving and releasing any rights which it may have to take over or purchase the said railway or any part thereof.

Now therefore this agreement witnesseth that it is agreed by and between the parties hereto as follows:—

1. The party of the first part hereby agrees to sell to the parties of the second part and the parties of the second part agree to purchase from the said party of the first part that portion of the Metropolitan Division of the Toronto and York Radial Railways lying on Yonge Street south of the north limit of the Village of Richmond Hill and more particularly described in Schedule "A" hereto for the price of Seventy-five Thousand (\$75,000.00) Dollars.

2. The said sum of Seventy-five Thousand Dollars (\$75,000.00) shall be paid by the parties of the second part in the following proportions, namely:—

- (a) The Corporation of the Township of North York 55 per cent.;
- (b) The Corporation of the Township of Markham 11 per cent.;
- (c) The Corporation of the Township of Vaughan 11 per cent.;
- (d) The Corporation of the Village of Richmond Hill 23 per cent.

3. Upon payment by the parties of the second part to the party of the first part of the said sum of Seventy-five Thousand Dollars (\$75,000.00) as aforesaid the said party of the first part will convey to the parties of the second part that portion of the said Metropolitan Division of the Toronto and York Radial Railways lying south of the north limit of the Village of Richmond Hill and consisting of the real and personal property described in Schedule "A" hereto, free from all claims, liens, charges and encumbrances of any kind whatsoever, save for the bonds of the Hydro Electric Power Commission of Ontario to the amount of \$1,875,000.00 hereinafter mentioned charged upon the said Metropolitan Division by *The Toronto Radial Railway Act, 1921*, and such conveyance or transfer shall vest such real and personal property (subject to the said bonds charged thereon) in the parties of the second part in the following proportions, namely:—

- (a) The Corporation of the Township of North York 55 per cent.;
- (b) The Corporation of the Township of Markham 11 per cent.;
- (c) The Corporation of the Township of Vaughan 11 per cent.;
- (d) The Corporation of the Village of Richmond Hill 23 per cent.

4. The party of the first part will from time to time pay to the Hydro Electric Power Commission of Ontario the amounts required by the said Commission to make the payments of principal and interest on the bonds hereinbefore mentioned to the amount of \$1,875,000.00 charged upon the said Metropolitan Division as such payments respectively fall due, and will indemnify and save harmless the parties of the second part from all loss, claims, damages, costs, and charges of any kind whatsoever arising directly or indirectly out of a breach of this covenant in respect to the payment of the interest and principal of the said bonds.

5. The parties of the second part shall be entitled to possession of the said portion of the said Railway forthwith after payment of the said sum of Seventy-five Thousand Dollars (\$75,000.00).

6. The party of the third part hereby consents to the sale of the real and personal property described in Schedule "A" hereto by the party of the first part to the parties of the second part and hereby waives and releases any right which the said party of the third part may have to take over or purchase the said Metropolitan Division of the Toronto and York Radial Railways or any part thereof or any property or assets of same.

7. And the parties of the second part hereby covenant with the party of the third part that in the event of the said party of the third part or any local municipality or municipalities in the County of York purchasing or acquiring the whole or any part of that portion of the said Metropolitan Division of the Toronto and York Radial Railway lying north of the north limit of the said Village of Richmond Hill or building and operating any new railway north of the said north limit of the said Village of Richmond Hill the said parties of the second part will grant to the said party of the third part or to such local municipality or municipalities such running rights over the portion of the said Metropolitan Division lying south of the north limit of the said Village of Richmond Hill as may be agreed upon and if not agreed upon as may be determined by the Ontario Railway and Municipal Board. Provided, however, that the party of the third part or such local municipality or municipalities shall pay to the parties of the second part the actual cost of operating the cars of the said party of the third part or of such local municipality or municipalities over the tracks and lines of the said parties of the second part and such actual cost shall, if not agreed upon, be determined by the Ontario Railway and Municipal Board.

8. The parties hereto agree to co-operate to secure the validation of this agreement by such legislation as may be necessary.

9. The party of the first part hereby agrees to and with the party of the third part that in order to give the local municipalities lying along the said Metropolitan Railway north of the said Village of Richmond Hill an opportunity of purchasing the said railway no part of the said railway lying north of the north limit of the said Village shall be dismantled before the 15th day of September, 1930.

In witness whereof the parties hereto have hereunto affixed their corporate seals under the hands of the proper officers in that behalf.

THE CORPORATION OF THE CITY OF TORONTO,

BERT S. WEMP,
Mayor.

[SEAL]

H. REBURN,
Deputy City Treasurer.

THE CORPORATION OF THE TOWNSHIP OF NORTH YORK.

JAS. MUIRHEAD,
Reeve.

[SEAL]

H. D. GOODE,
Clerk.

THE CORPORATION OF THE TOWNSHIP OF MARKHAM,

W. C. GOHN,
Reeve.

[SEAL]

G. A. M. DAVISON,
Clerk.

THE CORPORATION OF THE TOWNSHIP OF VAUGHAN,

JAS. H. ROBSON,
Reeve.

[SEAL]

J. B. MCLEAN,
Clerk.

THE CORPORATION OF THE VILLAGE OF RICHMOND HILL,

J. LUNAU,
Reeve.

[SEAL]

A. J. HUME,
Clerk.

THE CORPORATION OF THE COUNTY OF YORK,

E. G. FARR,
Warden.

[SEAL]

R. W. PHILLIPS,
Clerk.

Schedule "A."

Metropolitan Division, Toronto and York Radial Railway, North City limits to North limit of Village of Richmond Hill.

The above section of the Metropolitan Division for the purpose of this Agreement shall consist of real estate, buildings, roadbed, bridges, culverts, signs, track, poles and fixtures, distribution system, telephone line, and the installation of a block signal system, the whole constituting a single track electrical railway with sidings, spurs and all necessary appurtenances, extending from 174 feet north of the northerly limit of the City of Toronto on Yonge Street to the northerly limits of the Village of Richmond Hill on Yonge Street, a distance of approximately 10.32 miles, and including certain real estate within the Village of Richmond Hill, all as set out more particularly in the following schedule.

REAL ESTATE

Station property in Richmond Hill Village on the east side of Yonge Street, being part of Lots A and B, Plan 511, County of York, 58 feet by 137 feet.

BUILDINGS

Thornhill Golf Club (Stop 17) Shelter on west side of Yonge Street, 12 feet by 8 feet galvanized.

Lot 40 (Stop 23) Shelter 10 feet 2 inches by 7 feet 11 inches, frame building on sills, shingle French roof.

Richmond Hill—Station and freight room, 33 feet 2½ inches by 22 feet 2½ inches, frame building shingle roof.

ROADWAY

Extending from a point on Yonge Street 174 feet north of the northerly City limits on Yonge Street to the north limits of Richmond Hill Village, a distance of approximately 10.32 miles, including bridges, trestles and culverts, track work with all turnouts and sidings, poles and fixtures, railway direct current power distribution system, with feeders, telephone system, block signal system and signs.

The foregoing items do not include conductors transmitting alternating current, nor cross-arms, pins, insulators, conductors, lighting equipment, transformers, switches, meters and other accessories used exclusively for the transmission, distribution or use of alternating current power, which were retained by the Hydro Electric Power Commission of Ontario or by the Municipalities under the Statute 17 Geo. V, Chapter 58, and also do not include the poles on Yonge Street between the north limit of the City of Toronto and York Mills Sub-station carrying 13 kilovolt circuits.

FURNITURE

Furniture and fixtures in the Richmond Hill Station and Freight House.

SCHEDULE "D"

THIS AGREEMENT made this 17th day of July, 1930.

BETWEEN:

THE CORPORATION OF THE TOWNSHIP OF NORTH YORK,
THE CORPORATION OF THE TOWNSHIP OF MARKHAM,
THE CORPORATION OF THE TOWNSHIP OF VAUGHAN, and
THE CORPORATION OF THE VILLAGE OF RICHMOND HILL,
hereinafter called the "Corporations"

of the first part;

—and—

THE TORONTO TRANSPORTATION COMMISSION,
hereinafter called the "Commission"

of the second part.

Whereas by *The Township of North York Act, 1930*, the Corporations are granted certain powers to acquire that portion of the Railway known as Metropolitan Division of the Toronto and York Radial Railways lying south of the north limit of Richmond Hill and may enter into agreements with the Commission for the operation thereof.

And whereas by By-law No. 1051 of the Township of North York, By-law No. 950 of the Township of Markham, By-law No. 1265 of the Township of Vaughan, and By-law No. 397 of the Village of Richmond Hill, the Corporations have authorized the execution and delivery of this agreement.

And whereas the Commission has agreed to operate the said Railway for the Corporation on the terms and conditions hereinafter set out.

Now therefore this agreement witnesseth that the parties hereto have agreed as follows:—

1. The Commission will, provided the terms and conditions hereinafter set out are fulfilled by the Corporations, operate the electric railway lying on Yonge Street and extending from 174 feet north of the northerly limit of the City of Toronto on the east side of Yonge Street to the northerly limit of the Village of Richmond Hill, for and on behalf of the Corporations, provided however, that under no circumstances is the Commission or the Corporation of the City of Toronto to be at any cost or expense or to incur any liability by reason of such operation.

2. The transportation service to be furnished by the Commission shall be by a modern type of car capable of maintaining a satisfactory speed and giving adequate service.

3. The Commission shall have the sole management of the transportation service to be furnished hereunder and shall arrange for the cars, crews and necessary equipment, hours of service, running time, stops and everything else necessary or incidental to the said transportation system, including the maintenance of the said system.

4. The Corporations agree that during the term of this agreement they will take all means within their power to ensure to the Commission the exclusive rights of furnishing in any manner whatsoever, local transportation within the areas served by the said railway and that in particular they will pass and enforce such by-laws as they may legally pass to prevent the operation of busses or jitneys within such areas, and the Commission agrees that it will not, either itself or through any company or corporation which it directly or indirectly controls, operate any system of busses within the said areas so as to compete with the said Railway. It is understood that the carriage of passengers to and from points north of the south side of the cross roads at Elgin Mills, being the north limit of Lot No. 50, Concession 1, Townships of Vaughan and Markham, from or to points

within the area served by the railway, shall not be deemed competition within the meaning of this section.

5. All claims, or actions for alleged negligence in the operation of said railway shall be made against the Commission and dealt with by it and the Commission shall have, through its solicitor, the conduct and control of such claims and actions and of any action brought against the Corporations or any of them in respect of such alleged negligence and may defend or compromise the same as it seems expedient.

6. In respect of injuries and damages, the only amount chargeable by the Commission shall be the same annual cost per car mile as is from time to time incurred by the Commission in the operation of its system in and about the City of Toronto, in respect of such items, including therein administration and legal expenses.

7. As soon as practicable after the execution of this agreement the Commission shall, if it deems it necessary, construct a sub-station on a site approved by the Corporations and will endeavour to instal therein the two motor-generator sets at present in the Bond Lake sub-station of the said Metropolitan Division, and the said sub-station and generators shall be the property of the Corporations.

8. The Commission will endeavour to construct a sub-station and acquire and instal the motor generators referred to in Paragraph 7 hereof at a cost not exceeding \$30,000.00, and such costs shall be borne by the Corporations in the following proportions, namely:—

The Corporation of the Township of North York 55 per cent.;
 The Corporation of the Township of Markham 11 per cent.;
 The Corporation of the Township of Vaughan 11 per cent.;
 The Corporation of the Village of Richmond Hill 23 per cent.

9. It is understood and agreed that if the Commission finds that there is any possibility of the actual cost of the work referred to in Paragraphs 7 and 8 exceeding \$30,000.00, the Commission will, before proceeding with such work, notify the Corporations and the Corporations may construct and equip such substation in a manner that will insure efficient operation of the said railway.

10. When any of the Corporations desire to do any work which may in any way affect the said Railway, it shall, except in cases of emergency, give the Commission reasonable notice thereof, and shall bear the full cost of repairing or replacing any part of such Railway injured or destroyed by the carrying out of such work.

11. The Commission may, by sweepers or otherwise, remove snow from its right-of-way and no portion of the cost of the removal of any snow save as aforesaid shall be charged against the operation of the railway.

12. The Commission may, with the consent of the Corporations or by order of the Ontario Railway and Municipal Board, make such capital expenditures as may be necessary to the efficient operation of the said railway.

13. After the close of each calendar year the Commission will prepare a report to the Corporations giving a complete certified financial statement of its operation of the said railway during the preceding year and such statement shall, if the Corporations or any of them so desire, be subject to an audit by one independent auditor to be agreed on by the Corporations and the Commission, or in case of dispute, to be selected by the Ontario Railway and Municipal Board.

14. The Treasurer of any of the Corporations or, with the approval of the Commission, any other qualified person authorized by the Council of any such Corporations in the place of the Treasurer, shall at all times during the currency of this agreement, have, on request, access to the books and vouchers of the Commission dealing with receipts or expenditures in connection with the services provided for hereunder, and the

Corporations shall once a year during the currency of this agreement, have the right to have one independent audit made of the books and vouchers of the Commission dealing with the operation of the said Railway, by an auditor as set out in Clause 13 hereof. In the event of the Corporations and the Commission being unable to agree upon an auditor the Ontario Railway and Municipal Board shall have power to select an auditor to make such audit.

15. Should the gross revenues exceed the cost of operation the Corporations shall receive the surplus revenue quarterly in the following proportions:—

The Corporation of the Township of North York 55 per cent.;
 The Corporation of the Township of Markham 11 per cent.;
 The Corporation of the Township of Vaughan 11 per cent.;
 The Corporation of the Village of Richmond Hill 23 per cent.

16. If for any reason the revenue from the said railway for a period of three consecutive calendar months shall be insufficient to meet the annual cost of operation and maintenance for such period the Corporations shall pay to the Commission forthwith on demand the amount of any such deficiency in the following proportions:—

The Corporation of the Township of North York 55 per cent.;
 The Corporation of the Township of Markham 11 per cent.;
 The Corporation of the Township of Vaughan 11 per cent.;
 The Corporation of the Village of Richmond Hill 23 per cent.

17. The Commission is to be allowed the sum of seven per cent. of the gross total expenses of operation to reimburse it for its cost of administration and management in connection with the operation of the said Railway and such moneys shall be retained by the Commission for its own use.

18. The system of accounting to be used by the Commission shall be the classification of accounts for use of electric railways prescribed by the Interstate Commerce Commission of the United States, dated July 1st, 1914, and any further revisions thereof.

19. The Commission shall, subject to the approval of the Ontario Railway and Municipal Board, fix the tolls and fares to be charged on the said Railway and in so doing shall endeavour to fix such tolls and fares so that the revenue derived from the operation of such Railway shall be sufficient to meet the full operating cost thereof, including the amount required to meet all capital charges.

20. Subject to the provisions of Section 21 hereof, this agreement shall continue in force for a period of 15 years. Provided, however, that the Corporations may, upon first giving to the Commission at least six months' notice in writing of their intention to so do, terminate this agreement on the 17th day of July, 1935, or on the 17th day of July in any year thereafter.

21. It is understood and agreed by and between the Corporations and the Commission that if the Corporations cease to operate the said railway, either by their own officers, workmen and servants or by their operating agents before the expiration of 15 years from the date hereof, and the Commission, either on its own behalf or on behalf of any company or corporation controlled by it, applies to the Minister of Highways for the re-granting of the present permit held by the Gray Coach Lines Limited or a new permit to operate busses on Yonge Street in the area proposed to be served by the said railway, the Corporation will, if requested by the Commission so to do, consent in writing to the granting of such permit during such cessation of operation and will not give such consent to any other person or corporation, other than one of the Corporations herein applying for the aforesaid permit.

22. In the event of the Commission making any capital expenditures, such expenditures shall be borne by the said Corporations in the following proportions:—

The Corporation of the Township of North York 55 per cent.;
 The Corporation of the Township of Markham 11 per cent.;
 The Corporation of the Township of Vaughan 11 per cent.;
 The Corporation of the Village of Richmond Hill 23 per cent.

and each of such Corporations agrees to pay its portion of such expenditure to the Commission forthwith after demand.

23. In the event of any application being made to the Ontario Railway and Municipal Board pursuant to an agreement between the Corporations dated April 30th, 1930, and the said Board ordering that the said Railway be abandoned, this agreement shall terminate on the date fixed by the said Board for the abandonment of the said railway and in the event of the said Board on any such application varying the proportions in which deficits and capital expenditures are to be borne by the said Corporations, the provisions of this agreement shall be deemed to be amended by the order of the said Board in so far as any amendment is necessary in order to give effect to such order.

24. The Corporations agree to furnish adequate street lighting on any section of Yonge Street where such lighting is necessary having regard to all local conditions, and in the event of any dispute arising as to the necessity for such street lighting the matters in dispute shall be referred to the Ontario Railway and Municipal Board and the decision of such Board shall be final and conclusive. The cost of such street lighting shall be borne by the municipality wherein the lighting aforesaid is required.

25. All agreements between the Corporation of the City of Toronto or the Toronto Transportation Commission and the Hydro Electric Power Commission of Ontario regarding the joint use of poles shall remain in full force and effect, and all moneys hereafter falling due under such agreements shall be collected by the Commission in accordance with such agreements and shall be credited to the railway operated for the Corporations.

26. The agreement between the Toronto Transportation Commission and the Corporation of the Village of Richmond Hill regarding the construction and maintenance of the pavement on Yonge Street in the Village of Richmond Hill shall remain in full force and effect.

27. The Corporations shall, upon the termination of this agreement, indemnify and save harmless the Commission from all claims, demands and obligations whatsoever in respect of the operation of the said railway by the Commission for the Corporations.

28. If for any reason the revenue from the street railway for a period of three consecutive calendar months shall be insufficient to meet the full costs for such period of the maintenance, repair and operation thereof, the Corporations shall pay to the Commission forthwith on demand the amount of any such deficiency in the proportions set out in Paragraph 16 hereof. Provided that in the event of the neglect of any of such Corporations to pay the proper proportion of such amount within thirty (30) days of such demand, the Commission may, without further notice, discontinue the operation of the said street railway and it and the other parties hereto may recover from the Corporation in default any damage sustained by reason of such default, but such discontinuance of operation shall not release any party from this agreement. And provided further, that the Corporations not in default, without prejudice to their rights under this agreement, may at their option pay the amount in default by the other Corporation and shall have the right to recover the amount of such payment from such Corporation in default.

29. The parties hereto agree to use their best endeavours to have this agreement ratified and confirmed by legislation at the next ensuing session of the Legislature of the Province of Ontario.

In witness whereof the parties hereto have hereunto caused to be affixed their corporate seals attested by the hands of their proper officers in that behalf.

THE TORONTO TRANSPORTATION COMMISSION,

(Sgd.) J. J. HUBBARD, *Chairman.*

(Sgd.) H. S. CAMERON, *Secretary.*

THE CORPORATION OF THE TOWNSHIP OF MARKHAM,

(Sgd.) W. C. GOHN, *Reeve.*

(Sgd.) G. A. M. DAVISON, *Clerk.*

TOWNSHIP OF NORTH YORK,

(Sgd.) GEORGE B. ELLIOTT,

First Deputy Reeve.

(Sgd.) H. D. GOODE, *Clerk.*

THE CORPORATION OF THE TOWNSHIP OF VAUGHAN,

(Sgd.) JAS. H. ROBSON, *Reeve.*

(Sgd.) J. B. MCLEAN, *Clerk.*

VILLAGE OF RICHMOND HILL,

(Sgd.) J. LUNAU, *Reeve.*

(Sgd.) A. J. HUME, *Clerk.*

BILL

An Act respecting the Township of
North York.

1st Reading

February 26th, 1931

2nd Reading

March 20th, 1931

3rd Reading

March 25th, 1931

Mr. MCBRIEN

No. 59

2ND SESSION, 18TH LEGISLATURE, ONTARIO

21 GEORGE V, 1931

BILL

An Act respecting the Village of Forest Hill.

MR. BAIRD

(PRIVATE BILL)

TORONTO

PRINTED BY HERBERT H. BALL

PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

No. 59

1931

BILL

An Act respecting the Village of Forest Hill.

Preamble.

WHEREAS the corporation of the village of Forest Hill has by its petition prayed for special legislation in regard to the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Village of Forest Hill Act, 1931.*

Power to use
proceeds of
By-law No.
325 for works
chargeable to
corporation.

2. The council of the corporation of the village of Forest Hill may by by-law provide that the whole or part of the moneys received from the sale of the debentures issued pursuant to by-law number 325 of the said corporation for borrowing the sum of \$40,000 by the issue of debentures for the purpose of establishing a system for the collection, removal and disposal, at the expense of the said corporation, of ashes, garbage or other refuse, and for acquiring land and erecting thereon buildings together with plant and machinery for that purpose shall be applied toward the cost of any work constructed or to be constructed at the expense of the said corporation.

Creating
Town of
Forest Hill.

3. From and after the 31st day of December, 1931, the said village shall be and is hereby erected into a town under the name of "The Corporation of the Town of Forest Hill," and except as herein provided shall enjoy and have all the rights, powers and privileges enjoyed and exercised by a town incorporated under *The Municipal Act*.

Rev. Stat.,
c. 233.

Provisions
of The
Municipal
Act to apply
to Town of
Forest Hill.

4. Except as is herein provided, and except that the notice required by subsection 5 of section 19 of *The Municipal Act* need not be given, the provisions of the said Act relating to matters consequent on the erection of a village into a town and the other provisions of the said Act relating to towns shall

Rev. Stat.,
c. 233.

apply to the said town of Forest Hill in the same manner and to the same extent as if the said village had been erected into a town under the provisions of the said Act. The Ontario Railway and Municipal Board shall make all necessary orders and directions for the completion and establishment of the said town as required by the said Act.

By-laws and
regulations
to be con-
tinued.

5. All special Acts respecting the said village now in force and all by-laws and municipal regulations which are now in force in the said village shall continue and be in force with respect to the said town as if they had been passed by or for the benefit of the said town, until the same are repealed, amended or otherwise varied.

County
equalization
for Forest
Hill fixed.

Rev. Stat.,
c. 238.

6.—(1) Notwithstanding the provisions of *The Assessment Act* or of any other general or special Act, the amount at which the valuation and assessment of all the rateable property in the village (or town) of Forest Hill shall be equalized by the council of the corporation of the county of York for the purpose of apportioning and imposing county rates and at which, in the year 1931 and in every year thereafter the council of the said county shall in respect to the said village (or town) apportion and impose county rates, is fixed at a sum equivalent to and representing 8.71 per centum of the total amount at which the aggregate assessment of the rateable property of all the municipalities in the county, including the said village (or town), is equalized by the council of the said county.

(2) This section shall have force and effect only so long as the said village (or town) for municipal purposes forms part of the said county.

Power
to pass
by-law to
separate
from county.

7.—(1) The council of the corporation of the town of Forest Hill at any time after the 31st day of December, 1931, may, with the assent of the electors, pass a by-law to withdraw the said town and become a town separated from the county of York for municipal purposes. The separation shall take effect as from the 31st day of December next following the final passing of the said by-law.

Manner of
obtaining
assent of
electors.

(2) The assent of the electors to the by-law mentioned in subsection 1 shall be obtained in the manner provided by *The Municipal Act*.

Adjustment
of assets.

8. In the event of the passing of the said by-law, there shall be an adjustment of assets and liabilities between the corporation of the said town and the corporation of the county of York in the manner and as provided by *The Municipal Act*.

Rev. Stat.,
c. 233.

Town
remains part
of county for
judicial
purposes.

9. After the passing of the said by-law, the said town shall continue to form part of the said county for judicial purposes.

Cost of
suburban
roads.

10. The said town after becoming a separated town shall bear and pay to the corporation of the said county such portion of the cost of the construction and maintenance of the system of roads established by the Toronto and York Roads Commission pursuant to the provisions of *The Highway Improvement Act*, as the said town would pay if it formed part of the said county for municipal purposes and were not a separated town.

Rev. Stat.,
c. 54.

Fixing rate
of income
tax.

Rev. Stat.,
c. 233.

11. Notwithstanding the provisions of *The Municipal Act* or of any other general or special Act, the council of the corporation of the said village (or town) may by by-law passed in each year, provide that the rate of taxation to be levied in such year on assessments of income shall be such rate as may be fixed by the said by-law. The said rate may vary from but shall not exceed the rate of taxation levied or to be levied in such year upon assessments of real property and shall not be less than three cents in the dollar.

Assessment
of cost of
sidewalks on
petition.

Rev. Stat.,
c. 235.

12. The council of the corporation of the said village (or town) shall have the right to exercise the powers conferred on townships by subsection 2 of section 28 of *The Local Improvement Act*.

Commence-
ment of Act.

13. This Act shall come into force on the day upon which it receives the Royal Assent.

BILL

An Act respecting the Village of Forest Hill.

1st Reading

2nd Reading

3rd Reading

MR. BAIRD

(*Private Bill*)

No. 59

2ND SESSION, 18TH LEGISLATURE, ONTARIO

21 GEORGE V, 1931

BILL

An Act respecting the Village of Forest Hill.

MR. BAIRD

TORONTO

PRINTED BY HERBERT H. BALL

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Preamble.

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chargeable to
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2. The council of the corporation of the village of Forest Hill may by by-law provide that the whole or part of the moneys received from the sale of the debentures issued pursuant to by-law number 325 of the said corporation for borrowing the sum of \$40,000 by the issue of debentures for the purpose of establishing a system for the collection, removal and disposal, at the expense of the said corporation, of ashes, garbage or other refuse, and for acquiring land and erecting thereon buildings together with plant and machinery for that purpose shall be applied toward the cost of any work constructed or to be constructed at the expense of the said corporation.

Assessment
of cost of
sidewalks on
petition.

Rev. Stat.,
c. 235.

3. The council of the corporation of the said village shall have the right to exercise the powers conferred on townships by subsection 2 of section 28 of *The Local Improvement Act*.

Commence-
ment of Act.

4. This Act shall come into force on the day upon which it receives the Royal Assent.

BILL

An Act respecting the Village of Forest Hill.

1st Reading

March 10th, 1931

2nd Reading

April 1st, 1931

3rd Reading

April 1st, 1931

MR. BAIRD

No. 60

2ND SESSION, 18TH LEGISLATURE, ONTARIO

21 GEORGE V, 1931

BILL

An Act respecting the Town of Cornwall.

MR. McNAUGHTON

(PRIVATE BILL)

TORONTO
PRINTED BY HERBERT H. BALL
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

No. 60

1931

BILL

An Act respecting the Town of Cornwall.

Preamble.

WHEREAS the corporation of the town of Cornwall has by its petition represented that it is desirable to have confirmed its by-law number 16 passed with the assent of the electors of the said town on the 24th day of June, 1930, for the purpose of extending for a period of ten years the franchise rights of the Cornwall Street Railway, Light & Power Company, Limited; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.

1. This Act may be cited as *The Town of Cornwall Act, 1931*.

By-law
No. 16
(1930)
extending
street
railway
franchise
confirmed.

2. By-law number 16 for the year 1930 of the corporation of the town of Cornwall, being a by-law to extend the franchise of the Cornwall Street Railway, Light & Power Company, Limited as set forth in schedule "A" hereto, is hereby confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof and upon the said company and upon any other person or persons affected thereby.

SCHEDULE "A"

BY-LAW

BY-LAW No. 16 OF THE TOWN OF CORNWALL FOR THE YEAR 1930

Being a By-law to extend the Franchise of the Cornwall Street Railway,
Light & Power Company

Whereas, by a By-law numbered 47 of the Town of Cornwall, finally passed on the 28th day of December, 1895, certain powers were granted to one W. R. Hitchcock, his associates, assigns, transferees, or such Company as might be formed by him, to operate an electric railway through certain streets in the Town of Cornwall;

And whereas a Company was subsequently formed, known as "The Cornwall Street Railway, Light & Power Company, Limited," which said Company constructed their lines and operated an electric railway under the said franchise along certain streets through the Town of Cornwall, and extended their line into the Township of Cornwall, the Municipality adjoining the said Town of Cornwall;

And whereas the Town of Cornwall by By-law No. 33 of the year 1914, extended the franchise of the said Company for a period of Twenty years, within certain additions to and amendments of certain sections of By-law No. 47 of the year 1895;

And whereas the Company is willing to and desirous of building new lines mainly for the purpose of removing freight traffic from certain main thoroughfares of the Town, and in order to conform to the changing traffic conditions in the Town of Cornwall, which extensions and other necessary changes will occasion a large expenditure of money upon its part, and it has therefore applied for an extension of the said franchise given by By-law No. 47 of the year 1895, as amended by By-law No. 33 of the year 1914, for a period of Ten years from the 1st day of July, 1931.

1. Be it therefore enacted a By-law of the Municipal Corporation of the Town of Cornwall, that the franchise granted to the aforementioned W. R. Hitchcock, his associates, assigns, transferees, or such Company as might be formed by him, or them, to carry out the undertaking of constructing and operating an electric railway, as amended by By-law No. 33 of the year 1914, and which said franchise as amended is now held by the Cornwall Street Railway, Light & Power Company, Limited, for the purpose of operating an electric railway, be extended for a period of Ten years from the 1st day of July, 1931, and said franchise shall cover all additional lines and sidings constructed by the said Railway under certain amending By-laws and Resolutions of the Town of Cornwall, for the purpose of connecting private properties with its line of railway operated upon the highways and of carrying freight to and from the said private properties to the various Railway Stations in the Town and Township of Cornwall.

2. The terms and conditions under which the said Company may continue to operate their said railway shall be the same as those set out in said By-law No. 47 of the year 1895, as amended by By-law No. 33 of the year 1914, with the exceptions hereinafter specifically mentioned.

3. The Company shall be obliged by the 1st of October, 1932, to extend its line from the junction of Seventh Street and Cumberland Street, to its line at the corner of Cumberland and Second Streets, provided that permission be granted for such purpose by the Township of Cornwall, and shall, insofar as is possible, use this line for the movement of all freight to and from the Howard Smith Paper Mills, Limited, and other contiguous points.

4. Section 4 of By-law No. 47 of the year 1895, is amended by providing that by permission of a Resolution of the Town Council, turnouts or switches of the said Railway may be of such length and at such distance apart as the said Council may by Resolution specify.

5. The Company shall have, and may exercise during the continuance of this By-law, as auxiliary and supplementary to the street railway system, an exclusive franchise to maintain and operate within the limits of the Town of Cornwall, as now existing or hereafter extended, a transportation system for the purpose of transporting passengers between points in the said Town of Cornwall, by way of motor buses or other automotive or mechanically propelled vehicles, subject to license fees as the Council may impose, provided that this paragraph shall not apply at any time to cabs or taxicabs duly licensed by the Municipality.

6. The said Company further covenants and agrees that it will pay the expenses incurred by the Corporation in the submission of this By-law.

Read a first and second time in open Council this 28th day of April, 1930.

(Sgd.) A. HOROVITZ,
Mayor.

[SEAL]

(Sgd.) J. G. HARKNESS,
Clerk.

Read a third time this 24th day of June, A.D. 1930, passed, signed and sealed.

(Sgd.) A. HOROVITZ,
Mayor.

[SEAL]

(Sgd.) J. G. HARKNESS,
Clerk.

BILL

An Act respecting the Town of Cornwall.

1st Reading

2nd Reading

3rd Reading

MR. MCNAUGHTON

(Private Bill)

2ND SESSION, 18TH LEGISLATURE, ONTARIO
21 GEORGE V, 1931

BILL

An Act respecting the Town of Cornwall.

MR. MCNAUGHTON

No. 60

1931

BILL

An Act respecting the Town of Cornwall.

Preamble.

WHEREAS the corporation of the town of Cornwall has by its petition represented that it is desirable to have confirmed its by-law number 16 passed with the assent of the electors of the said town on the 24th day of June, 1930, for the purpose of extending for a period of ten years the franchise rights of the Cornwall Street Railway, Light & Power Company, Limited; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.

1. This Act may be cited as *The Town of Cornwall Act, 1931*.

By-law
No. 16
(1930)
extending
street
railway
franchise
confirmed.

2. By-law number 16 for the year 1930 of the corporation of the town of Cornwall, being a by-law to extend the franchise of the Cornwall Street Railway, Light & Power Company, Limited as set forth in schedule "A" hereto, is hereby confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof and upon the said company and upon any other person or persons affected thereby.

Commence-
ment of Act.

3. This Act shall come into force on the day upon which it receives the Royal Assent.

SCHEDULE "A"

BY-LAW

BY-LAW NO. 16 OF THE TOWN OF CORNWALL FOR THE YEAR 1930

Being a By-law to extend the Franchise of the Cornwall Street Railway, Light & Power Company

Whereas, by a By-law numbered 47 of the Town of Cornwall, finally passed on the 28th day of December, 1895, certain powers were granted to one W. R. Hitchcock, his associates, assigns, transferees, or such Company as might be formed by him, to operate an electric railway through certain streets in the Town of Cornwall;

And whereas a Company was subsequently formed, known as "The Cornwall Street Railway, Light & Power Company, Limited," which said Company constructed their lines and operated an electric railway under the said franchise along certain streets through the Town of Cornwall, and extended their line into the Township of Cornwall, the Municipality adjoining the said Town of Cornwall;

And whereas the Town of Cornwall by By-law No. 33 of the year 1914, extended the franchise of the said Company for a period of Twenty years, within certain additions to and amendments of certain sections of By-law No. 47 of the year 1895;

And whereas the Company is willing to and desirous of building new lines mainly for the purpose of removing freight traffic from certain main thoroughfares of the Town, and in order to conform to the changing traffic conditions in the Town of Cornwall, which extensions and other necessary changes will occasion a large expenditure of money upon its part, and it has therefore applied for an extension of the said franchise given by By-law No. 47 of the year 1895, as amended by By-law No. 33 of the year 1914, for a period of Ten years from the 1st day of July, 1931.

1. Be it therefore enacted a By-law of the Municipal Corporation of the Town of Cornwall, that the franchise granted to the aforementioned W. R. Hitchcock, his associates, assigns, transferees, or such Company as might be formed by him, or them, to carry out the undertaking of constructing and operating an electric railway, as amended by By-law No. 33 of the year 1914, and which said franchise as amended is now held by the Cornwall Street Railway, Light & Power Company, Limited, for the purpose of operating an electric railway, be extended for a period of Ten years from the 1st day of July, 1931, and said franchise shall cover all additional lines and sidings constructed by the said Railway under certain amending By-laws and Resolutions of the Town of Cornwall, for the purpose of connecting private properties with its line of railway operated upon the highways and of carrying freight to and from the said private properties to the various Railway Stations in the Town and Township of Cornwall.

2. The terms and conditions under which the said Company may continue to operate their said railway shall be the same as those set out in said By-law No. 47 of the year 1895, as amended by By-law No. 33 of the year 1914, with the exceptions hereinafter specifically mentioned.

3. The Company shall be obliged by the 1st of October, 1932, to extend its line from the junction of Seventh Street and Cumberland Street, to its line at the corner of Cumberland and Second Streets, provided that permission be granted for such purpose by the Township of Cornwall, and shall, insofar as is possible, use this line for the movement of all freight to and from the Howard Smith Paper Mills, Limited, and other contiguous points.

4. Section 4 of By-law No. 47 of the year 1895, is amended by providing that by permission of a Resolution of the Town Council, turnouts or switches of the said Railway may be of such length and at such distance apart as the said Council may by Resolution specify.

5. The Company shall have, and may exercise during the continuance of this By-law, as auxiliary and supplementary to the street railway system, an exclusive franchise to maintain and operate within the limits of the Town of Cornwall, as now existing or hereafter extended, a transportation system for the purpose of transporting passengers between points in the said Town of Cornwall, by way of motor buses or other automotive or mechanically propelled vehicles, subject to license fees as the Council may impose, provided that this paragraph shall not apply at any time to cabs or taxicabs duly licensed by the Municipality.

6. The said Company further covenants and agrees that it will pay the expenses incurred by the Corporation in the submission of this By-law.

Read a first and second time in open Council this 28th day of April, 1930.

(Sgd.) A. HOROVITZ,
Mayor.

[SEAL]

(Sgd.) J. G. HARKNESS,
Clerk.

Read a third time this 24th day of June, A.D. 1930, passed, signed and sealed.

(Sgd.) A. HOROVITZ,
Mayor.

[SEAL]

(Sgd.) J. G. HARKNESS,
Clerk.

BILL

An Act respecting the Town of Cornwall.

1st Reading

March 10th, 1931

2nd Reading

March 20th, 1931

3rd Reading

March 25th, 1931

MR. McNAUGHTON

2ND SESSION, 18TH LEGISLATURE, ONTARIO

21 GEORGE V, 1931

BILL

An Act respecting the Town of Georgetown.

MR. BLAKELOCK

(PRIVATE BILL)

TORONTO

PRINTED BY HERBERT H. BALL

PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

No. 61.

1931.

BILL

An Act respecting the Town of Georgetown.

Preamble.

WHEREAS the corporation of the town of Georgetown has by its petition represented that it has incurred a floating debt of \$22,000 which has arisen by reason of losses having occurred from certain taxes becoming uncollectible, levies being insufficient for current purposes, default being made in repayment of loans to industries, housing losses and other causes; and whereas the said corporation has by its petition represented that to pay the said floating debt forthwith and to pay in addition thereto the ordinary annual expenditures would be unduly oppressive on the ratepayers of the said corporation, and therefore that the said floating debt may be consolidated and debentures be issued sufficient to discharge such debt; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.

1. This Act may be cited as *The Town of Georgetown Act, 1931*.

Floating
debt con-
solidated at
\$22,000.

2. The floating debt of the corporation of the town of Georgetown is consolidated at the sum of \$22,000 and the said corporation may borrow by a special issue of debentures a sum not exceeding \$22,000 for the purpose of paying the said floating debt.

Terms of
debentures,
rate of
interest, etc.

3. The said debentures shall be made payable in not more than ten years from the issue thereof and shall bear interest at a rate not exceeding five per centum per annum, and may be issued either with or without coupons attached thereto for interest, and shall be payable at such place or places as the corporation may deem expedient.

Equal
annual
instalments.

4. The said debentures shall be payable in equal annual instalments of principal and interest, in such manner and of such amounts that the amount payable for principal and

interest in any year shall be equal as nearly as may be to the amount payable for principal and interest during each of the other years of the period within which the said debt is to be discharged.

Levy of special rate.

5. The said corporation shall levy in each year during the period within which the said debt is payable, in addition to all other rates, a special rate sufficient to produce and pay the annual instalments of principal and interest falling due upon the said debentures.

Application of proceeds of debentures.

6. The debentures and all moneys arising from the sale thereof shall be applied in payment of the said floating debt and for no other purpose.

Assent of electors not required.

7. It shall not be necessary to obtain the assent of the electors of the said town qualified to vote on money by-laws to the passing of any by-law which shall be passed under the authority of this Act, or to observe the formalities in relation thereto prescribed by *The Municipal Act*.

Rev. Stat., c. 233.

Irregularity in form not to invalidate.

8. No irregularity in the form of the said debentures or any of them, or of any by-law authorizing the issue thereof shall render the same invalid or illegal, or be allowed as a defence to any action brought against the said corporation for the recovery of the said debentures or interest or any part thereof; and the purchaser or holder thereof shall not be bound to enquire as to the necessity of passing such by-law or issuing debentures or as to the application of the proceeds thereof.

Treasurer to keep book of account.

9. It shall be the duty of the treasurer, for the time being, of the said corporation to keep, and it shall be the duty of each of the members from time to time of the council to procure such treasurer to keep and see that he does keep, a proper book of account setting forth a full and particular statement so that the same shall at all times show the number of debentures which from time to time shall be issued under the powers conferred by this Act, and the respective amounts payment of which is thereby secured and the times at which the said debentures shall respectively become due and payable, and the several amounts which shall from time to time be realized from the sales or negotiations of the said debentures, and the application which shall from time to time be made of the said amounts and the said book of account and statement shall at all times and at all reasonable hours be open to the inspection of any ratepayer of the said town and of any of the holders from time to time of the debentures which shall be issued under the powers hereby conferred or any of such debentures.

Commencement of Act.

10. This Act shall come into force on the day upon which it receives the Royal Assent.

An Act respecting the Town of Georgetown.

1st Reading

2nd Reading

3rd Reading

MR BLAKELOCK

(Private Bill)

No. 61

2ND SESSION, 18TH LEGISLATURE, ONTARIO

21 GEORGE V, 1931

BILL

An Act respecting the Town of Georgetown.

MR. BLAKELOCK

TORONTO

PRINTED BY HERBERT H. BALL

PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

No. 61.

1931.

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An Act respecting the Town of Georgetown.

Preamble.

WHEREAS the corporation of the town of Georgetown has by its petition represented that it has incurred a floating debt of \$22,000 which has arisen by reason of losses having occurred from certain taxes becoming uncollectible, levies being insufficient for current purposes, default being made in repayment of loans to industries, housing losses and other causes; and whereas the said corporation has by its petition represented that to pay the said floating debt forthwith and to pay in addition thereto the ordinary annual expenditures would be unduly oppressive on the ratepayers of the said corporation, and therefore that the said floating debt may be consolidated and debentures be issued sufficient to discharge such debt; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.

1. This Act may be cited as *The Town of Georgetown Act, 1931.*

Floating
debt con-
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\$22,000.

2. The floating debt of the corporation of the town of Georgetown is consolidated at the sum of \$22,000 and the said corporation may borrow by a special issue of debentures a sum not exceeding \$22,000 for the purpose of paying the said floating debt.

Terms of
debentures,
rate of
interest, etc.

3. The said debentures shall be made payable in not more than ten years from the issue thereof and shall bear interest at a rate not exceeding five per centum per annum, and may be issued either with or without coupons attached thereto for interest, and shall be payable at such place or places as the corporation may deem expedient.

Equal
annual
instalments.

4. The said debentures shall be payable in equal annual instalments of principal and interest, in such manner and of such amounts that the amount payable for principal and

interest in any year shall be equal as nearly as may be to the amount payable for principal and interest during each of the other years of the period within which the said debt is to be discharged.

5. The said corporation shall levy in each year during the period within which the said debt is payable, in addition to all other rates, a special rate sufficient to produce and pay the annual instalments of principal and interest falling due upon the said debentures. Levy of special rate.

6. The debentures and all moneys arising from the sale thereof shall be applied in payment of the said floating debt and for no other purpose. Application of proceeds of debentures.

7. It shall not be necessary to obtain the assent of the electors of the said town qualified to vote on money by-laws to the passing of any by-law which shall be passed under the authority of this Act, or to observe the formalities in relation thereto prescribed by *The Municipal Act*. Assent of electors not required.
Rev. Stat., c. 233.

8. No irregularity in the form of the said debentures or any of them, or of any by-law authorizing the issue thereof shall render the same invalid or illegal, or be allowed as a defence to any action brought against the said corporation for the recovery of the said debentures or interest or any part thereof; and the purchaser or holder thereof shall not be bound to enquire as to the necessity of passing such by-law or issuing debentures or as to the application of the proceeds thereof. Irregularity in form not to invalidate.

9. It shall be the duty of the treasurer, for the time being, of the said corporation to keep, and it shall be the duty of each of the members from time to time of the council to procure such treasurer to keep and see that he does keep, a proper book of account setting forth a full and particular statement so that the same shall at all times show the number of debentures which from time to time shall be issued under the powers conferred by this Act, and the respective amounts payment of which is thereby secured and the times at which the said debentures shall respectively become due and payable, and the several amounts which shall from time to time be realized from the sales or negotiations of the said debentures, and the application which shall from time to time be made of the said amounts and the said book of account and statement shall at all times and at all reasonable hours be open to the inspection of any ratepayer of the said town and of any of the holders from time to time of the debentures which shall be issued under the powers hereby conferred or any of such debentures. Treasurer to keep book of account.

10. This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

BILL

An Act respecting the Town of Georgetown.

1st Reading

March 10th, 1931

2nd Reading

March 20th, 1931

3rd Reading

March 25th, 1931

MR. BLAKELOCK

No. 62

2ND SESSION, 18TH LEGISLATURE, ONTARIO

21 GEORGE V, 1931

BILL

An Act respecting The Protestant Orphans' Home, Ottawa.

MR. ELLIS

(PRIVATE BILL)

TORONTO

PRINTED BY HERBERT H. BALL

PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

No. 62.

1931.

BILL

An Act respecting The Protestant Orphans' Home, Ottawa.

Preamble.

WHEREAS The Protestant Orphans' Home, Ottawa has by its petition represented it to be desirable that its name be changed to "Protestant Children's Village, Ottawa," and for legislation with respect to its funds; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.

1. This Act may be cited as *The Protestant Children's Village, Ottawa Act, 1931.*

Name changed.

2. The name "The Protestant Orphans' Home, Ottawa," is changed to "Protestant Children's Village, Ottawa," and section 1 of the *Act respecting the Orphan's Home of the City of Ottawa*, passed in the fourth year of the reign of His Majesty King George the Fifth, chaptered 129 is amended by striking out the name "The Protestant Orphans' Home, Ottawa" wherever it occurs in the said section and inserting in lieu thereof the name, "Protestant Children's Village, Ottawa."

Properties vested under new name.

3. All bequests heretofore or hereafter made to and in the name of The Protestant Orphans' Home, Ottawa, shall be read as if they were made payable to the Protestant Children's Village, Ottawa, and any trust fund or funds held or invested in the name of The Protestant Orphans' Home, Ottawa shall be continued in the name of Protestant Children's Village, Ottawa, and all real property now held by or belonging to The Protestant Orphans' Home, Ottawa, is vested in the Protestant Children's Village, Ottawa.

Commencement of Act.

4. This Act shall come into force on the day upon which it receives the Royal Assent.

An Act respecting the Protestant Orphans'
Home, Ottawa.

1st Reading

2nd Reading

3rd Reading

MR. ELLIS

(*Private Bill*)

No. 62

2ND SESSION, 18TH LEGISLATURE, ONTARIO

21 GEORGE V, 1931

BILL

An Act respecting The Protestant Orphans' Home, Ottawa.

MR. ELLIS

TORONTO

PRINTED BY HERBERT H. BALL

PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

No. 62.

1931.

BILL

An Act respecting The Protestant Orphans' Home, Ottawa.

Preamble.

WHEREAS The Protestant Orphans' Home, Ottawa has by its petition represented it to be desirable that its name be changed to "Protestant Children's Village, Ottawa," and for legislation with respect to its funds; and whereas it is expedient to grant the prayer of the said petition;

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Short title.

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Name changed.

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Properties vested under new name.

3. All bequests heretofore or hereafter made to and in the name of The Protestant Orphans' Home, Ottawa, shall be read as if they were made payable to the Protestant Children's Village, Ottawa, and any trust fund or funds held or invested in the name of The Protestant Orphans' Home, Ottawa shall be continued in the name of Protestant Children's Village, Ottawa, and all real property now held by or belonging to The Protestant Orphans' Home, Ottawa, is vested in the Protestant Children's Village, Ottawa.

Commencement of Act.

4. This Act shall come into force on the day upon which it receives the Royal Assent.

BILL

An Act respecting 'The Protestant Orphans'
Home, Ottawa.

1st Reading

February 26th, 1931

2nd Reading

March 6th, 1931

3rd Reading

March 13th, 1931

Mr. ELLIS

No 63

2ND SESSION, 18TH LEGISLATURE, ONTARIO

21 GEORGE V, 1931

BILL

An Act respecting the City of Toronto.

MR. NESBITT

(PRIVATE BILL)

TORONTO

PRINTED BY HERBERT H. BALL

PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

BILL

An Act respecting the City of Toronto.

Preamble.

WHEREAS the corporation of the city of Toronto has by petition prayed for special legislation in respect to the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Confirmation of
certain
grants.

1. The council of the corporation of the city of Toronto may out of current revenue for 1931 make grants of \$5,000 to the Canadian Social Hygiene Council, \$1,000 to the Citizens Service Association of Canada and \$500 to the St. Elizabeth Visiting Nurses' Association.

Authority to
issue
debentures
for certain
purposes.

2. The council of the said corporation may from time to time without submitting same to the electors qualified to vote on money by-laws, pass a by-law or by-laws for the issue of debentures to raise the sum of \$1,598,683, or any portion thereof, for the following purposes, namely,—

Building grant to the Toronto Orthopedic Hospital.....	\$50,000
Extension of Pape Avenue storm sewer outlet south of Eastern Avenue.....	24,810
Construction of relief sewers.....	139,000
Extension of North Toronto Sewage Disposal Works.....	800,000
Replacement of Keating Street bridge over Don River.....	127,185
Construction or purchase of tug for water-works purposes.....	70,000
Construction of new fire halls.....	130,688
Construction of new police stations.....	192,000
Construction of swimming pool in Eglinton Park.....	65,000

\$1,598,683

BILL

An Act respecting the City of Toronto.

Preamble.

WHEREAS the corporation of the city of Toronto has by petition prayed for special legislation in respect to the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Confirma-
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1. The council of the corporation of the city of Toronto may out of current revenue for 1931 make grants of \$5,000 to the Canadian Social Hygiene Council, \$1,000 to the Citizens Service Association of Canada and \$500 to the St. Elizabeth Visiting Nurses' Association.

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Building grant to the Toronto Orthopedic Hospital.....	\$50,000
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Construction of relief sewers.....	139,000
Extension of North Toronto Sewage Disposal Works.....	800,000
Replacement of Keating Street bridge over Don River.....	127,185
Construction or purchase of tug for water-works purposes.....	70,000
Construction of new fire halls.....	130,688
Construction of new police stations.....	192,000
Construction of swimming pool in Eglinton Park.....	65,000
	<hr/>
	\$1,598,683

1909, c. 125,
s. 2, subs. 10,
and amend-
ments
thereof
repealed.

3. Subsection 10 of section 2 of the Act passed in the ninth year of the reign of His late Majesty King Edward VII, chaptered 125 and all amendments thereto, are repealed and the following substituted therefor:

Pre-audit of
accounts
payable and
counter-
signing of
cheques.

- (10) All progress and final certificates on contracts, pay sheets of departments and orders on the treasurer of whatever description shall be passed by the City Auditor before payment. The City Auditor, or, in the event of his illness or absence, the Deputy City Auditor, shall countersign all cheques issued by the Treasurer on any of the city's bank accounts; provided that the City Auditor may from time to time delegate to the Deputy City Auditor authority to countersign said cheques, and that the council may from time to time by resolution authorize some other official of the Audit Department to countersign cheques for salaries or wages only, or to countersign all cheques during the absence or illness of the City Auditor or Deputy City Auditor.

Establish-
ment of
garbage
disposal
plant
outside
municipal
limits.

4. The said corporation may with the approval of the Department of Health for Ontario erect, maintain and operate buildings, machinery and plant for the disposal of garbage and other refuse outside the limits of the city of Toronto, and may acquire land for same.

Replace-
ment of
Moore Ave.
bridge.

5. The said corporation may enter into an agreement with the corporation of the township of East York and any other municipal corporation interested for the replacement of the existing bridge on Moore Avenue, and may undertake the construction of a new bridge pursuant to the provisions of such agreement, and the council of the said corporation may, without submitting the same to the electors qualified to vote on money by-laws, pass a by-law or by-laws for the issue of debentures to raise the portion of the cost of such new bridge to be paid by the said corporation under the provision of such agreement.

Acquiring
land for
future
improve-
ment of
highways.

- 6.—(1) The said corporation may from time to time acquire any land that in the opinion of the council of said corporation may be necessary for any work of establishing, opening, laying out, extending, widening or diverting a highway or portions of a highway, although the corporation may not have undertaken the work for which the council considers such land necessary, and pending the time when any land so acquired is actually required to be used for such work the corporation may hold such land and may use same for any purpose for which it is suitable to be used, or may lease or sell same.

Allocation
of cost of
lands
acquired.

(2) Upon the council of the said corporation undertaking the work for or in connection with which land has been acquired and held by it as in subsection 1 provided, there shall be added to and form part of the cost of the work the cost of acquiring and holding the said land, or such portion thereof as is actually required for the work, and any portion of the land not actually required for the work shall be sold or otherwise disposed of by the corporation.

Special grant
to the Art
Gallery.

7. The council of the said corporation may out of current revenue for the year 1931 make a grant of \$10,000 to the Art Gallery of Toronto for the maintenance and upkeep of the Art Gallery in addition to the annual grant authorized by section 2 of the Act respecting the said city passed in 1927 and chaptered 134.

Commence-
ment of Act.

8. This Act shall come into force upon the day upon which it receives the Royal Assent.

BILL

An Act respecting the City of Toronto.

1st Reading

2nd Reading

3rd Reading

MR. NESBITT

(*Private Bill*)

No 63

2ND SESSION, 18TH LEGISLATURE, ONTARIO

21 GEORGE V, 1931

BILL

An Act respecting the City of Toronto.

MR. NESBITT

TORONTO

PRINTED BY HERBERT H. BALL

PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

BILL

An Act respecting the City of Toronto.

Preamble.

WHEREAS the corporation of the city of Toronto has by petition prayed for special legislation in respect to the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Confirma-
tion of
certain
grants.

1. The council of the corporation of the city of Toronto may out of current revenue for 1931 make grants of \$5,000 to the Canadian Social Hygiene Council, \$1,000 to the Citizens Service Association of Canada and \$500 to the St. Elizabeth Visiting Nurses' Association.

Authority to
issue
debentures
for certain
purposes.

2. The council of the said corporation may from time to time without submitting same to the electors qualified to vote on money by-laws, pass a by-law or by-laws for the issue of debentures to raise the sum of \$1,598,683, or any portion thereof, for the following purposes, namely,—

Building grant to the Toronto Orthopedic Hospital.....	\$50,000
Extension of Pape Avenue storm sewer outlet south of Eastern Avenue.....	24,810
Construction of relief sewers.....	139,000
Extension of North Toronto Sewage Disposal Works.....	800,000
Replacement of Keating Street bridge over Don River.....	127,185
Construction or purchase of tug for water-works purposes.....	70,000
Construction of new fire halls.....	130,688
Construction of new police stations.....	192,000
Construction of swimming pool in Eglinton Park.....	65,000
	<hr/>
	\$1,598,683

3. Subsection 10 of section 2 of the Act passed in the 1909, c. 125, ninth year of the reign of His late Majesty King Edward VII. s. 2, subs. 10, and amendments thereof repealed. chaptered 125 and all amendments thereto. are repealed and the following substituted therefor:

(10) All progress and final certificates on contracts, pay sheets of departments and orders on the treasurer of whatever description shall be passed by the City Auditor before payment. The City Auditor, or, in the event of his illness or absence, the Deputy City Auditor, shall countersign all cheques issued by the Treasurer on any of the city's bank accounts; provided that the City Auditor may from time to time delegate to the Deputy City Auditor authority to countersign said cheques, and that the council may from time to time by resolution authorize some other official of the Audit Department to countersign cheques for salaries or wages only, or to countersign all cheques during the absence or illness of the City Auditor or Deputy City Auditor.

Pre-audit of accounts payable and counter-signing of cheques.

4. The said corporation may with the approval of the Department of Health for Ontario erect, maintain and operate buildings, machinery and plant for the disposal of garbage and other refuse outside the limits of the city of Toronto, and may acquire land for same, but the powers conferred by this section shall not be exercised without the consent of the council of the municipality in which it is proposed to erect, maintain and operate the said buildings, machinery and plant.

Establishment of garbage disposal plant outside municipal limits.

5. The said corporation may enter into an agreement with the corporation of the township of East York and any other municipal corporation interested for the replacement of the existing bridge on Moore Avenue, and may undertake the construction of a new bridge pursuant to the provisions of such agreement, and the council of the said corporation may, without submitting the same to the electors qualified to vote on money by-laws, pass a by-law or by-laws for the issue of debentures to raise the portion of the cost of such new bridge to be paid by the said corporation under the provision of such agreement.

Replacement of Moore Ave. bridge.

6.—(1) The said corporation may from time to time acquire any land that in the opinion of the council of said corporation may be necessary for any work of establishing, opening, laying out, extending, widening or diverting a highway or portions of a highway, although the corporation may not have undertaken the work for which the council considers such land necessary, and pending the time when

Acquiring land for future improvement of highways.

any land so acquired is actually required to be used for such work the corporation may hold such land and may use same for any purpose for which it is suitable to be used, or may lease or sell same.

Allocation
of cost of
lands
acquired.

(2) Upon the council of the said corporation undertaking the work for or in connection with which land has been acquired and held by it as in subsection 1 provided, there shall be added to and form part of the cost of the work the cost of acquiring and holding the said land, or such portion thereof as is actually required for the work, and any portion of the land not actually required for the work shall be sold or otherwise disposed of by the corporation.

Special grant
to the Art
Gallery.

7. The council of the said corporation may out of current revenue for the year 1931 make a grant of \$10,000 to the Art Gallery of Toronto for the maintenance and upkeep of the Art Gallery in addition to the annual grant authorized by section 2 of the Act respecting the said city passed in 1927 and chaptered 134.

Commence-
ment of Act.

8. This Act shall come into force upon the day upon which it receives the Royal Assent.

BILL

An Act respecting the City of Toronto.

1st Reading

March 10th, 1931

2nd Reading

March 25th, 1931

3rd Reading

March 27th, 1931

MR. NESBITT

2ND SESSION, 18TH LEGISLATURE, ONTARIO
21 GEORGE V, 1931

BILL

An Act respecting the Town of Cobourg.

MR. MURPHY (Beaches)

(PRIVATE BILL)

BILL

An Act respecting the Town of Cobourg.

Preamble.

WHEREAS the corporation of the town of Cobourg has by its petition represented that, by reason of its location on the shore of Lake Ontario, it has been for many years an important summer resort, having within its corporate limits over two miles of The King's Highway No. 2, for many years it has maintained the only harbour of refuge on the north shore of said lake open to navigation during the whole year round, the said town being the northern terminus of the Ontario car ferry and served by the main lines of the Canadian National Railway System and the Canadian Pacific Railway; and that it has for many years maintained efficient and extensive water, light and gas services and educational institutions resulting in the establishment within its limits of many important manufacturing companies; and that the said town is so situate that the extensive counties' road system heretofore and now in course of construction connecting with the said The King's Highway No. 2 serves the said town for a very limited mileage north and east and west thereof; and that by reason of the foregoing circumstances requirements of the said corporation are distinct and different from those of the united counties of Northumberland and Durham of which the said town forms a part; and that the said town desires to withdraw and be separated from the said united counties for municipal purposes; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Town of Cobourg Act, 1931*.

By-law to
separate
town from
united
counties.

2. The council of the corporation of the town of Cobourg may pass a by-law to withdraw the said town and for municipal purposes be separated from the united counties of Northumberland and Durham within which said town is

situated and of which it now forms a part, upon obtaining the assent of the electors of the said town to such by-law in the manner provided by *The Municipal Act*.

Rev. Stat.,
c. 233.

Town
remains
part of
united
counties for
judicial
purposes.

Rev. Stat.,
cc. 155, 233.

3. After the passing of the said by-law, the said town of Cobourg shall, as part of the said united counties for judicial purposes bear and pay its share or proportion to be agreed upon or settled by arbitration or by the Ontario Railway and Municipal Board as hereinafter mentioned of all charges and expenses from time to time incurred for the purposes mentioned in section 21 of *The Registry Act* and section 377 of *The Municipal Act* relating to the counties' court house and gaol, and of all other charges relating to the administration of justice in the said united counties including the maintenance of the gaol, registry office and house of refuge and expenses incident to mothers' allowances.

Liability by
town until
and after
separation.

4. Until separation from the said united counties is completed, the liability of the said town to pay its share of the debt of the said united counties and the charges and expenses referred to in section 3 of this Act shall remain unaltered; and from and after the date of such separation, the said town shall pay its share or proportion of the debenture debt of the said united counties as the same matures; and shall in each year thereafter pay its due share of the balance of the said debenture debt in force at the date of separation as the same existed on the 1st day of March, 1931, and its share or proportion of the charges and expenses referred to in section 3. The charges and expenses of which the said town shall bear and pay its share or proportion as aforesaid shall be the net charges and expenses after deducting from such charges and expenses all receipts by the united counties from any source on such accounts.

Reference to
arbitration
or the
Ontario
Railway and
Municipal
Board in
case of
failure to
agree.

Rev. Stat.,
c. 233.

5. If the said town's share or proportion of charges and expenses under section 3 be not mutually agreed upon by the town and the united counties, the same shall be determined by arbitration under the provisions of *The Municipal Act* or by reference of the matter to the Ontario Railway and Municipal Board and the sums to be paid by the town and united counties respectively shall be in proportion to the respective populations of the said town and united counties as shown in the last census of the Dominion of Canada.

Proclamation
of
separation
by
Lieutenant-
Governor.

6. When the agreement or award has been made, a copy of the same and of the by-law duly verified by affidavit, shall be transmitted to the Lieutenant-Governor who may thereupon issue his proclamation withdrawing and separating the said town from the said united counties.

Title to
roads,
bridges and
other
property.

7. After the separation of the said town from the said united counties the county roads and bridges outside of the town shall be the sole and exclusive property of the said united counties and the roads and bridges within the said town shall be the exclusive property of the said town, but notwithstanding the separation of the said town from the said united counties it shall retain and continue to have the same right, title and interest in all other property of the said united counties in common with said united counties as the said town possessed before such separation, subject nevertheless to the provisions of section 3 of this Act.

Offices of
reeve and
deputy
reeves to
cease.

8. After the proclamation has been issued the offices of reeve and deputy reeves of the said town shall cease and no by-law of the said united counties thereafter made shall have any force in the said town except so far as relates to the court house and gaol and other counties' property in the said town and the said town shall not thereafter be liable to the united counties for or be obliged to pay the united counties any money for debts of the united counties or for any other purposes of said united counties except the sums agreed upon or awarded as aforesaid and such payments as said town may be liable for in respect of the present existing debenture debt of said united counties.

New
agreement
after lapse
of five years.

9. In the month of May before the lapse of five years from the time of the said agreement or award and quinquennially thereafter, a new agreement or award may be made to ascertain the amount to be paid by the town to the said united counties in common with said united counties, and in ascertaining such amount, the same shall be based on the population of said town and united counties as shown in the last preceding census of the Dominion of Canada, which shall be for all time the basis of adjustment for said town and united counties.

Provision
for
reunion
with
United
Counties.

10. The council of the said town after the expiration of five years from the withdrawal may pass a by-law to be assented to by the electors in the manner provided for by *The Municipal Act* in respect to by-laws for creating debts, to reunite with said united counties. The by-law shall have no effect unless ratified and confirmed within six months after the passing thereof by the council of the said united counties and unless the terms and conditions which the said town is to pay, perform or be subject to, have been previously agreed upon or settled in manner following, that is to say: before the by-law is confirmed by the council of the said united counties, the councils of the said town and said united counties shall determine by agreement the amounts of the debts of the said town and united counties respectively which are to be paid or borne by the united counties after

the reunion or what amounts are to be payable by a special rate to be imposed upon the ratepayers of the said town, over and above all other county rates and all other matters relating to property assets or advantages consequent upon the reunion and affecting the united counties or town respectively and such other terms or conditions as appear just, shall be settled by such agreement; and in default of such agreement being come to within three months after the passing of the by-law by the council of the said town the said matters shall be settled by arbitration as provided by *The Municipal Act* or by the Ontario Railway and Municipal Board.

Commence-
ment of Act.

11. This Act shall come into force on the day upon which it receives the Royal Assent.

BILL

An Act respecting the Town of Cobourg.

1st Reading

2nd Reading

3rd Reading

MR. MURPHY (Beaches)

(*Private Bill*)

2ND SESSION, 18TH LEGISLATURE, ONTARIO

21 GEORGE V, 1931

BILL

An Act to incorporate United Farmers Co-operative Association.

MR. OLIVER

(PRIVATE BILL)

TORONTO

PRINTED BY HERBERT H. BALL

PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

BILL

An Act to incorporate United Farmers Co-operative Association.

Preamble.

WHEREAS William A. Amos, of the township of Wallace, in the county of Perth; Bruce McNevin, of the township of Ops, in the county of Victoria; Harry A. Gilroy, of the village of Alvinston, in the county of Lambton; James J. Morrison, of the city of Toronto, in the county of York, and Howard B. Clemes, of the city of Toronto, in the county of York, all of the Province of Ontario, have by their petition prayed for an Act of incorporation under the name of United Farmers Co-operative Association for the purposes and with the powers hereinafter set forth; and it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *United Farmers Co-operative Association Act, 1931*.

Interpre- tation.

2. In this Act,—

- (a) “the association” means the association incorporated under this Act;
- (b) “meeting of the association” includes a duly constituted meeting of the delegates appointed by the members of the association;
- (c) “local” means a local shipping association duly constituted under the provisions of this Act;
- (d) “farm produce” means every article of commerce produced from the farm and the products thereof and without restricting the foregoing includes livestock.

Incor-
poration.

3. William A. Amos, Bruce McNevin, Harry A. Gilroy, James J. Morrison and Howards B. Clemes, together with such other persons as may become members of the association hereby incorporated, are hereby constituted a body corporate and politic under the name of United Farmers Co-operative Association.

Head office.

4. The head office of the association shall be at the city of Toronto, in the Province of Ontario, or at such other place within the said province as may be determined by by-law passed by the directors and confirmed by vote of at least two-thirds of the delegates present at a meeting duly called for considering the same.

Directors.

5.—(1) William A. Amos, R. J. McMillan, Carl Jones, H. A. Gilroy, Harold Currie, Bruce McNevin, Neil MacKay, R. L. Aitchison and Alva Rintoul shall be the first directors of the association, and they shall hold office until their successors are duly elected at the first meeting of delegates, but shall be eligible for election as permanent directors.

(2) The permanent directors shall be not less than nine and not more than fifteen in number and shall be elected from the members of the association by the delegates in the manner hereinafter and by by-law provided; and shall hold office until the next annual meeting of delegates held after their election, but shall be eligible for re-election.

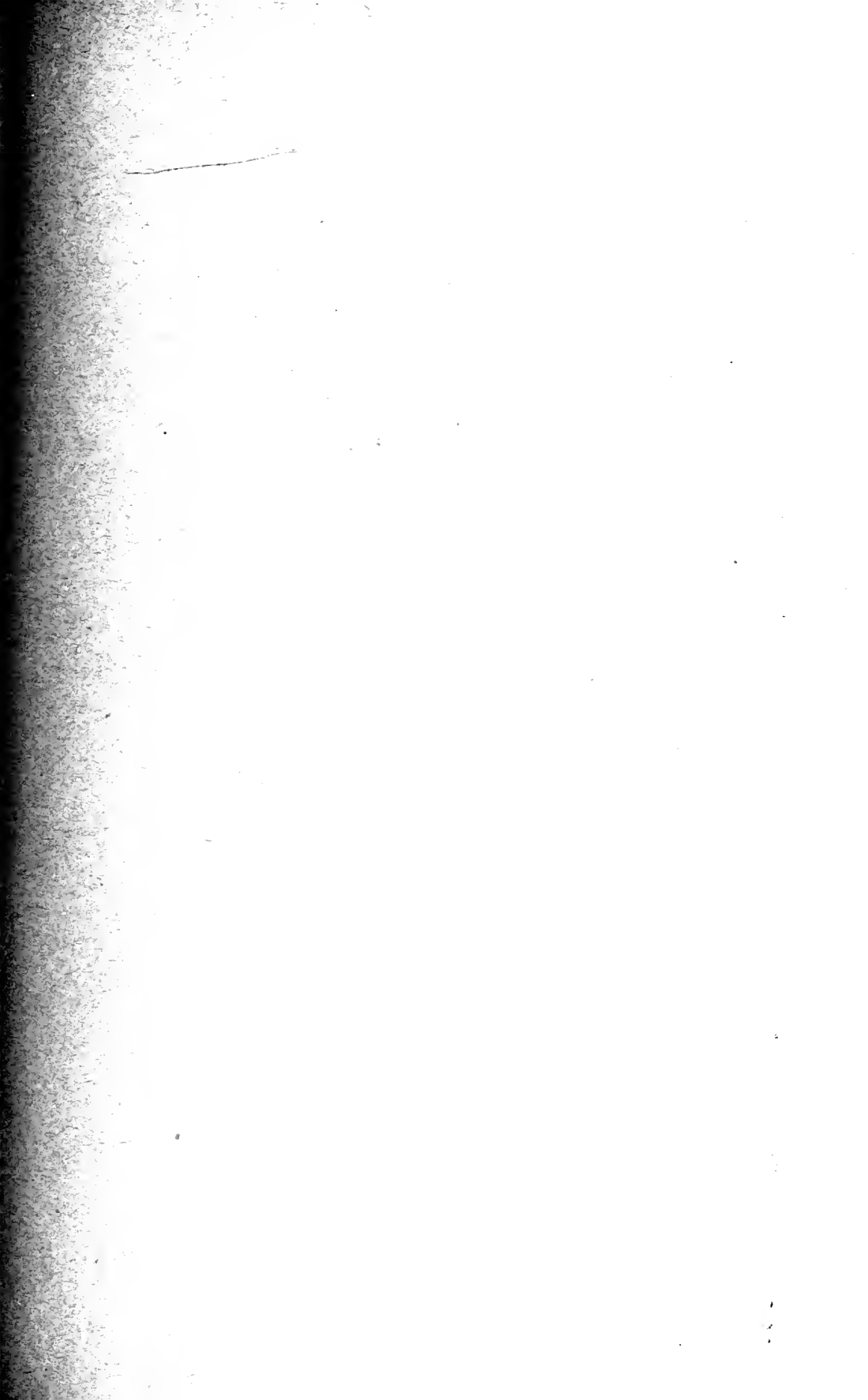
Members.

6.—(1) Subject to the provisions of any of the by-laws of the association any person directly interested in farming in the Province of Ontario shall be entitled to become a member of the association upon compliance with the by-laws of the association regulating membership.

(2) Members, except shareholders of The United Farmers Co-operative Company, Limited who may for the time being hold notes or other securities of the Association in place of shares of the said company, shall pay such fee, not exceeding \$1.00 as may be determined by the directors, and such other fees as may from time to time be fixed by by-law passed by the directors and confirmed by vote of at least two-thirds of the delegates present at a meeting duly called for considering same.

(3) The association shall be without share capital and, subject to the provisions of this Act, the interest of each member thereof as such shall be the same as that of every other member.

(4) The liability of each member of the association as such shall be limited to the amount, if any, from time to



time unpaid in respect of the aforesaid fees, and subject thereto, no member shall be liable for any debt account, liability or default of the association or for any engagement, claim, payment, loss, injury, action, matter or thing whatsoever relating to or in connection with the association; provided that nothing in this clause contained shall be deemed to exempt or relieve any member from liability to the association or to any other person arising out of contract or otherwise and not created by his membership in the association.

(5) In any distribution of the assets of the association among its members on winding up or ceasing to do business, the assets so to be distributed shall be applied first in repayment of any amount owing to any member under any contract or otherwise and thereafter in pro rata distribution among the members in good standing at the time of such distribution on the basis of the deductions made by the association during the fiscal year preceding such distribution from the proceeds of farm produce disposed of through the association by its members, and not on the basis of the membership fees paid by them; subject, however, to the right of the association to retain any amount owing and unpaid on any members' fees; and such distribution or winding up shall be carried out in such manner as may be determined by the directors with the approval of the association's auditors, who shall be a firm of chartered accountants.

Delegates.

7.—(1) Meetings of members of the association may be held by districts to elect delegates and for such other purposes as the directors may determine; and such elections may be by postcard or by ballot, or both by postcard and ballot, or otherwise as may be provided by by-law of the directors confirmed by vote of two-thirds of the delegates at a meeting called to consider same.

(2) The first meetings of members by districts to elect delegates shall be held at such time or times prior to December first, 1932 and at such place or places as may be fixed by the directors, and thereafter annual meetings of the members to elect delegates shall be held at such time or times and at such place or places as may be fixed by the directors pursuant to the by-laws.

(3) Delegates shall hold office for one year or until their successors are duly elected in annual meeting.

(4) The total number of delegates to be elected shall be fixed by by-law and the number of delegates to be elected from each district shall as nearly as possible bear the same

proportion to the total number as the number of members from such district bears to the total number of members of the association.

(5) The first meeting of delegates to elect directors, receive the annual report and appoint auditors shall be held at the head office of the association at such time prior to December 31st, 1932 as may be fixed by the directors, and thereafter annual meetings of the delegates shall be held for the afore-said purposes at the head office at such time as may be fixed by the directors pursuant to the by-laws.

(6) The by-laws may provide that each district shall be entitled to elect one or more directors who shall be elected by the delegates representing such district, and may also provide that vacancies in the directorate may be filled by the remaining directors.

(7) Subject as herein provided meetings of delegates may be held from time to time by districts or otherwise as may be provided by by-law; and for all purposes except the election of delegates shall be as valid and effective as meetings of the members whom they represent, and any action taken at such meetings shall be binding on the members so represented.

(8) Any remuneration and expenses of delegates, directors and members in connection with the business of the association may be paid by the association.

By-laws.

8.—(1) The directors shall have full power and authority to pass, vary and repeal by-laws not contrary to law nor inconsistent with this Act providing for and regulating the election of directors and delegates, the calling, holding and adjournment of and procedure at meetings of directors, delegates and members, the quorum thereat, the appointment and remuneration of directors, officers and employees, and the dismissal of officers and employees, the creation of the districts referred to in section 6 hereof, and the allocation of members to such districts, the creation and functions of executive committees, the admission and expulsion of members and collection of fees, the making of contracts, the determination of the deductions to be made from the proceeds of the sale of farm produce, the distribution thereof and the creation of reserves, and the conduct generally of the association's business and affairs; and such by-laws shall, subject to clause (b) of this section, be valid and binding on the association and its members until the next annual meeting of the delegates, and if confirmed thereat shall continue to be valid and binding until varied or repealed by the delegates at an annual meeting.

(2) The delegates at an annual meeting or at a special meeting called for the purpose shall have full power and authority to amend, vary and repeal by-laws passed by the directors in relation to any of the matters referred to in the foregoing clause or to any other matters whatsoever.

(3) The directors shall also have full power and authority to manage and conduct the business and affairs of the association in manner not inconsistent with the provisions of this Act nor contrary to law, in all matters not specifically referred to in the foregoing clauses of this section.

Objects.

9. The association shall have power and capacity and is hereby authorized to acquire all or any of the assets and undertaking of The United Farmers Co-operative Company, Limited incorporated under *The Companies Act, Ontario*, for such consideration and on such terms as may be agreed upon; and for that purpose to enter into an agreement or agreements with the said The United Farmers Co-operative Company, Limited or any subsidiary thereof, and upon any such agreement or agreements being approved by the vote of two-thirds of the shareholders of the said company or such subsidiary as the case may be, present at a meeting duly called for considering the same, or represented thereat by a shareholder having the right to vote in their behalf under the by-laws of the said company or subsidiary, such agreement or agreements shall be legal, valid and binding upon the said company or subsidiary, as the case may be, and the shareholders thereof.

Objects
continued.

10. The association shall further have power and capacity and is hereby authorized:

- (a) To serve as a selling agency for the farm produce of its members on a non-profit basis.
- (b) To carry on the business of collecting, buying, receiving, handling, processing, warehousing, shipping, storing, trading, grading, dealing in, selling and marketing and exporting farm produce, and generally to carry on the general business of dealers in and exporters of farm produce, either as principal or as agent, broker, mercantile agent, factor or attorney in fact; to construct, purchase, acquire by lease or otherwise, and to operate warehouses and cold storage plants, and all or any facilities for warehousing, storing, processing, handling, trading or otherwise dealing in farm produce; and generally to do all things, either as principal or agent, broker, mercantile agent, factor or attorney in fact incidental to or connected with any manner of collecting, storing, handling, dealing with, marketing or disposing of farm produce.

- (c) To act as agent, broker, factor, mercantile agent and attorney in fact for each of its members for all purposes connected with or incidental to the co-operative marketing of farm produce, and to exercise on behalf of each of its members all such rights, privileges and authorities as may be conferred by them;
- (d) To furnish a means, as an agricultural organization instituted for mutual help, by which its members may be able to market their farm produce through one central marketing organization.
- (e) To encourage the production of farm produce of the highest quality, and the preparation thereof so as to reach the consumer in the most wholesome and attractive condition for food purposes.
- (f) To develop existing markets and build up new markets for farm produce, investigate and develop new uses therefor, and generally take all such steps as may be deemed expedient to increase the consumption thereof.
- (g) To improve methods and reduce costs of marketing farm produce; to reduce speculation, manipulation and waste, and all unnecessary transactions in such marketing; to market the same directly and with regularity so as to furnish the same economically to the consumer and preserve for the producer the proceeds thereof.
- (h) To enter into, make, perform, and carry out any contract or arrangement necessary for or incidental to the co-operative selling or marketing of farm produce produced or acquired by its members or any of them.
- (i) To deal with all documents of or evidencing title to farm produce, or providing for payment therefor or otherwise in connection with farm produce or the proceeds thereof, in all or any manner whatsoever.
- (j) To construct, hire, purchase or operate and maintain all or any conveyances for the transportation in cold storage or otherwise howsoever by land or by water of any or all farm produce, or accessories or equipment necessary or incidental to the handling, treating or marketing of the same.
- (k) To establish and operate from time to time and to such extent as may be deemed advisable a research department in connection with the business of the association.

- (l) To carry on in accordance with co-operative principles the business of wholesale purchasers, procurers, shippers, vendors and dealers of and in goods, wares and merchandise of every kind and description used in agriculture and farming or by consumers, including hardware, lumber, building materials, fuel, machinery, farm implements, binder twine, dry goods and groceries, and to manufacture, produce, adapt, prepare, buy, sell and otherwise deal in any or all of the said goods, wares and merchandise and in any materials, articles or things required in connection with or incidental to such wholesale or manufacturing business.
- (m) To purchase, take in exchange, lease, hire or otherwise acquire, work, maintain, drain, farm, plant, pave, erect, build, construct, add to, improve, develop or use any lands, easements, or other rights in land, buildings, machinery, mills, warehouses, plants, factories, offices, houses, or other real or personal property required for the purposes of the association and wherever situated whether on the association's property or otherwise, and to add to, furnish, operate, rent, exchange, lease, sell or otherwise dispose of the same or any part of the same.
- (n) To mortgage, pledge, hypothecate, borrow money upon and otherwise deal with farm produce and all documents of or evidencing title thereto, either as principal, agent, broker or attorney.
- (o) To advance money to its members or others whose farm produce it may handle on such terms as may seem expedient.
- (p) To pay or recoup to, reimburse for, or distribute among any members or contract holders of this association any moneys contributed directly or indirectly to the association by them, or deducted or retained from the proceeds of their farm produce on the basis as far as practicable of the contributions so made and either in whole or in part and at such times and in such manner and either with or without interest thereon as in the absolute discretion of the association may seem expedient.
- (q) To distribute among the members of this association in kind any property of this association and in particular any shares, debentures or securities of other companies or associations belonging to this association or of which this association may have the power of disposing.

- (r) To compensate members of the association for any loss incurred by reason of injury to farm produce in course of transit, and to make provision, by way of deduction, from proceeds of farm produce handled by the association or otherwise as the association may from time to time determine, for any fund or funds from which to pay such compensation.
- (s) To enter into contracts with any person, firm, association, corporation or company for purposes of selling to or supplying such person, firm, association, corporation or company with goods, wares and merchandise of all kinds and descriptions as aforesaid under a term contract or otherwise and under such conditions as will serve the interests of the company.
- (t) To act in carrying out of any of the powers of this association through servants, employees, agents, sub-agents, brokers, solicitors, bankers, auditors and experts.
- (u) To incorporate or secure the incorporation of, and take stock on any subsidiary company or association which the directors of the association may deem desirable or expedient for the purpose of more effectively carrying out the objects of the association or any of them, or to segregate any or all of the classes of business carried on by the association.
- (v) To sell or dispose of the undertaking of the association or any part thereof for such consideration as the association may think fit, and in particular for shares, debentures or securities of any other corporation having objects altogether or in part similar to those of the association, if authorized so to do by the vote of two-thirds of the delegates present at a meeting thereof duly called for considering the matter.

Provided that if the directors deem it in the interest of the association and its members as a whole nothing herein contained shall be deemed to prevent the association from buying from or selling to or for any of its members or other persons any farm produce or other commodities on a profit basis and the association is hereby authorized so to deal.

Rev. Stat.,
c. 218.

And for the foregoing purposes and to enable it more fully to exercise its powers, the association shall be deemed to have and shall have and enjoy the powers and capacity conferred upon companies or corporations by *The Companies Act*, and particularly and without limiting the generality of the foregoing by sections 23, 24, subsection 1 of section 80 and subsection 1 of section 84 thereof in so far as such powers

and capacity are applicable to the association and not inconsistent with this Act; and the said *Companies Act*, shall in so far as it is not inconsistent with the provisions of this Act and the by-laws of the association, apply to the association.

Organization
of local ship-
ping associa-
tions.

11.—(1) The association shall have power to organize and constitute from among its members local shipping associations (hereinafter referred to as locals), to facilitate the assembling of farm produce for shipment at any particular shipping point or shipping points, to give to each such local a distinctive name, to delegate to and confer upon any such local such powers, rights and privileges from time to time as may seem expedient and conducive to the carrying out of the objects of this association, and further the interests of its members in the co-operative marketing of farm produce, and to make all appropriate by-laws and regulations in respect thereto.

Powers
of locals.

(2) When a local has been duly constituted in accordance with the provisions of this Act and the by-laws of the association in that behalf it shall have power to hold in its own name real and personal property and to alienate or otherwise deal with the same or any part thereof, and to make contracts dealing with matters of a local nature within the limits prescribed by the association, provided, however, that such locals shall not have power to bind the association nor shall the association be liable for any claim, legal or equitable, arising out of any action of any of its locals, nor shall the association or the creditors thereof have any right or claim to any of the property of any such local.

By-laws
for locals.

(3) All locals may make by-laws for the conduct of the business and proceedings thereof, but the same shall not be operative or effective unless and until a certified copy thereof has been deposited by the local with the secretary of the association and approved by the directors thereof, in default of which and until such conditions have been complied with, the standard set of by-laws provided by the association for locals shall be the by-laws thereof.

Contracts
of agents
binding.

12. Every contract, agreement, engagement or bargain made and every bill of exchange drawn, accepted or indorsed, and every promissory note and cheque made, drawn or indorsed, and every weight ticket or bill of lading made, drawn, signed or indorsed on behalf of the said association by any agent, officer or servant of the association in general accordance with his powers as such under the by-laws of the association shall be binding upon the association and in no case shall it be necessary to have the seal of the association affixed to any such contract, agreement, engagement, bargain, bill of exchange, promissory note, cheque, weight ticket or bill of lading or document of like nature, or to prove that the same was made, drawn, accepted, signed or indorsed,

as the case may be, in pursuance of any by-law or special vote or order, nor shall the party so acting as agent, officer or servant of the association be thereby subject individually to any liability whatsoever to any third party therefor.

Contracts
with
members.

13.—(1) The association may enter into contracts or marketing agreements with its members requiring the members to sell or deliver for sale, for any period of time not exceeding seven years, all or any of their farm produce exclusively to or through the association or any agencies created by the association.

(2) The said association may, by contracts or marketing agreements entered into with its members, fix as liquidated damages specific sums to be paid by its members to the association upon breach by them of any provision of the contract or marketing agreement regarding the sale or delivery or withholding of farm produce, and any such provision fixing specific sums as liquidated damages shall be valid and enforceable as such in the courts of Ontario, and such sums shall not be deemed a penalty or in the nature of a penalty.

Deductions.

(3) Any contract or marketing agreement may provide that the association may sell or resell the products delivered to it by its members with or without taking title thereto, and pay over to its members the proceeds thereof, after deducting all necessary selling, overhead and other costs and expenses, and all such amounts as may be required for meeting liabilities or for reserves or for acquiring real or personal property for the erection of warehouses or other buildings or the acquisition of any mechanical or other facilities connected with the handling, processing, manufacturing and marketing of farm produce, or for the creation of any fund or funds from which to pay compensation to members for injury or damage to farm produce in course of transit, or for providing a fund to be used as working capital for the association.

Injunction
and specific
perform-
ance.

(4) In the event of a breach by a member of any such contract or marketing agreement, as to the delivery or marketing of any farm produce otherwise than through the said association, the association shall be entitled to an injunction to prevent further breach thereof, and to a decree of specific performance of the said contract or marketing agreement.

Commence-
ment of Act.

14. This Act shall come into force on the day upon which it receives the Royal Assent.

BILL

An Act to incorporate United Farmers
Co-operative Association.

1st Reading

2nd Reading

3rd Reading

MR. OLIVER

(*Private Bill*)

No. 65

2ND SESSION, 18TH LEGISLATURE, ONTARIO
21 GEORGE V, 1931

BILL

An Act to incorporate United Farmers Co-operative Association.

MR. OLIVER

BILL

An Act to incorporate United Farmers Co-operative Association.

Preamble.

WHEREAS William A. Amos, of the township of Wallace, in the county of Perth; Bruce McNevin, of the township of Ops, in the county of Victoria; Harry A. Gilroy, of the village of Alvinston, in the county of Lambton; James J. Morrison, of the city of Toronto, in the county of York, and Howard B. Clemes, of the city of Toronto, in the county of York, all of the Province of Ontario, have by their petition prayed for an Act of incorporation under the name of United Farmers Co-operative Association for the purposes and with the powers hereinafter set forth; and it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *United Farmers Co-operative Association Act, 1931*.

Interpretation.

2. In this Act,—

- (a) “the association” means the association incorporated under this Act;
- (b) “meeting of the association” includes a duly constituted meeting of the delegates appointed by the members of the association;
- (c) “local” means a local shipping association duly constituted under the provisions of this Act;
- (d) “farm produce” means every article of commerce produced from the farm and the products thereof and without restricting the foregoing includes livestock.

3. William A. Amos, Bruce McNevin, Harry A. Gilroy, James J. Morrison and Howards B. Clemes, together with such other persons as may become members of the association hereby incorporated, are hereby constituted a body corporate and politic under the name of United Farmers Co-operative Association. <sup>Incor-
poration.</sup>

4. The head office of the association shall be at the city of Toronto, in the Province of Ontario, or at such other place within the said province as may be determined by by-law passed by the directors and confirmed by vote of at least two-thirds of the delegates present at a meeting duly called for considering the same. ^{Head office.}

5.—(1) William A. Amos, R. J. McMillan, Carl Jones, H. A. Gilroy, Harold Currie, Bruce McNevin, Neil MacKay, R. L. Aitcheson and Alva Rintoul shall be the first directors of the association, and they shall hold office until their successors are duly elected at the first meeting of delegates, but shall be eligible for election as permanent directors. ^{Directors.}

(2) The permanent directors shall be not less than nine and not more than fifteen in number and shall be elected from the members of the association by the delegates in the manner hereinafter and by by-law provided; and shall hold office until the next annual meeting of delegates held after their election, but shall be eligible for re-election; provided, however, that the by-laws may provide for the election of directors by a system of rotation for periods not exceeding three years and for the retirement of a certain number of directors each year, and while such by-laws remain in force the directors shall be elected in accordance therewith notwithstanding anything to the contrary in this Act contained.

6.—(1) Subject to the provisions of any of the by-laws of the association any person directly interested in farming in the Province of Ontario shall be entitled to become a member of the association upon compliance with the by-laws of the association regulating membership. ^{Members}

(2) Members shall pay such fees as may from time to time be fixed by by-law.

(3) The association shall be without share capital and subject to the provisions of this Act, the interest of each member thereof as such shall be the same as that of every other member.

(4) The liability of each member of the association as such shall be limited to the amount, if any, from time to

time unpaid in respect of the aforesaid fees, and subject thereto, no member shall be liable for any debt account, liability or default of the association or for any engagement, claim, payment, loss, injury, action, matter or thing whatsoever relating to or in connection with the association; provided that nothing in this clause contained shall be deemed to exempt or relieve any member from liability to the association or to any other person arising out of contract or otherwise and not created by his membership in the association.

(5) In any distribution of the assets of the association among its members on winding up or ceasing to do business, the assets so to be distributed shall be applied first in repayment of any amount owing to any member under any contract or otherwise and thereafter in pro rata distribution among the members in good standing at the time of such distribution on the basis of the deductions made by the association during the fiscal year preceding such distribution from the proceeds of farm produce disposed of through the association by its members or, after repayment of any amount owing to any member under any contract or otherwise, on such other basis as may be determined by the delegates at a special meeting held to consider the matter; provided, however, that no distribution shall be made on the basis of the membership fees paid by them; subject, however, to the right of the association to retain any amount owing and unpaid on any members' fees; and such distribution or winding up shall be carried out in such manner as may be determined by the directors with the approval of the association's auditors, who shall be a firm of chartered accountants.

Delegates.

7.—(1) Meetings of members of the association may be held by districts to elect delegates and for such other purposes as the directors may determine; and such elections may be by postcard or by ballot, or both by postcard and ballot, or otherwise as may be provided by by-law of the directors confirmed by vote of two-thirds of the delegates at a meeting called to consider same.

(2) The first meetings of members by districts to elect delegates shall be held at such time or times prior to December first, 1932 and at such place or places as may be fixed by the directors, and thereafter annual meetings of the members to elect delegates shall be held at such time or times and at such place or places as may be fixed by the directors pursuant to the by-laws.

(3) Delegates shall hold office for one year or until their successors are duly elected in annual meeting.

(4) The total number of delegates to be elected shall be fixed by by-law and the number of delegates to be elected

from each district shall as nearly as possible bear the same proportion to the total number as the number of members from such district bears to the total number of members of the association.

(5) The first meeting of delegates to elect directors, receive the annual report and appoint auditors shall be held at the head office of the association at such time prior to December 31st, 1932 as may be fixed by the directors, and thereafter annual meetings of the delegates shall be held for the aforesaid purposes at the head office at such time as may be fixed by the directors pursuant to the by-laws.

(6) The by-laws may provide that each district shall be entitled to elect one or more directors who shall be elected by the delegates representing such district, and may also provide that vacancies in the directorate may be filled by the remaining directors.

(7) Subject as herein provided meetings of delegates may be held from time to time by districts or otherwise as may be provided by by-law; and for all purposes except the election of delegates shall be as valid and effective as meetings of the members whom they represent, and any action taken at such meetings shall be binding on the members so represented.

(8) Any remuneration and expenses of delegates, directors and members in connection with the business of the association may be paid by the association.

8.—(1) The directors shall have full power and authority ^{By-laws.} to pass, vary and repeal by-laws not contrary to law nor inconsistent with this Act providing for and regulating the election of directors and delegates, the calling, holding and adjournment of and procedure at meetings of directors, delegates and members, the quorum thereat, the appointment and remuneration of directors, officers and employees, and the dismissal of officers and employees, the creation of the districts referred to in section 7 hereof, and the allocation of members to such districts, the creation and functions of executive committees, the admission and expulsion of members and collection of fees, the making of contracts, the determination of the deductions to be made from the proceeds of the sale of farm produce, the distribution thereof and the creation of reserves, and the conduct generally of the association's business and affairs; and such by-laws shall, subject to subsection 2, be valid and binding on the association and its members until the next annual meeting of the delegates, and if confirmed thereat shall continue to be valid and binding until varied or repealed by the delegates at an annual meeting.

(2) The delegates at an annual meeting or at a special meeting called for the purpose shall have full power and authority to amend, vary and repeal by-laws passed by the directors in relation to any of the matters referred to in the foregoing subsection or to any other matters whatsoever.

(3) The directors shall also have full power and authority to manage and conduct the business and affairs of the association in manner not inconsistent with the provisions of this Act nor contrary to law, in all matters not specifically referred to in the foregoing subsections of this section.

Objects.

9. The association shall have power and capacity and is hereby authorized to acquire all or any of the assets and undertaking of The United Farmers Co-operative Company, Limited incorporated under *The Companies Act, Ontario*, for such consideration and on such terms as may be agreed upon; and for that purpose to enter into an agreement or agreements with the said The United Farmers Co-operative Company, Limited or any subsidiary thereof, and upon any such agreement or agreements being approved by the vote of two-thirds of the shareholders of the said company or such subsidiary as the case may be, present at a meeting duly called for considering the same, or represented thereat by a shareholder having the right to vote in their behalf under the by-laws of the said company or subsidiary, such agreement or agreements shall be legal, valid and binding upon the said company or subsidiary, as the case may be, and the shareholders thereof.

Objects
continued.

10. The association shall further have power and capacity and is hereby authorized:

- (a) To serve as a selling agency for the farm produce of its members on a non-profit basis.
- (b) To carry on the business of collecting, buying, receiving, handling, processing, warehousing, shipping, storing, trading, grading, dealing in, selling and marketing and exporting farm produce, and generally to carry on the general business of dealers in and exporters of farm produce, either as principal or as agent, broker, mercantile agent, factor or attorney in fact; to construct, purchase, acquire by lease or otherwise, and to operate warehouses and cold storage plants, and all or any facilities for warehousing, storing, processing, handling, trading or otherwise dealing in farm produce; and generally to do all things, either as principal or agent, broker, mercantile agent, factor or attorney in fact incidental to or connected with any manner of collecting, storing, handling, dealing with, marketing or disposing of farm produce.

- (c) To act as agent, broker, factor, mercantile agent and attorney in fact for each of its members for all purposes connected with or incidental to the co-operative marketing of farm produce, and to exercise on behalf of each of its members all such rights, privileges and authorities as may be conferred by them;
- (d) To furnish a means, as an agricultural organization instituted for mutual help, by which its members may be able to market their farm produce through one central marketing organization.
- (e) To encourage the production of farm produce of the highest quality, and the preparation thereof so as to reach the consumer in the most wholesome and attractive condition for food purposes.
- (f) To develop existing markets and build up new markets for farm produce, investigate and develop new uses therefor, and generally take all such steps as may be deemed expedient to increase the consumption thereof.
- (g) To improve methods and reduce costs of marketing farm produce; to reduce speculation, manipulation and waste, and all unnecessary transactions in such marketing; to market the same directly and with regularity so as to furnish the same economically to the consumer and preserve for the producer the proceeds thereof.
- (h) To enter into, make, perform, and carry out any contract or arrangement necessary for or incidental to the co-operative selling or marketing of farm produce produced or acquired by its members or any of them.
- (i) To deal with all documents of or evidencing title to farm produce, or providing for payment therefor or otherwise in connection with farm produce or the proceeds thereof, in all or any manner whatsoever.
- (j) To construct, hire, purchase or operate and maintain all or any conveyances for the transportation in cold storage or otherwise howsoever by land or by water of any or all farm produce, or accessories or equipment necessary or incidental to the handling, treating or marketing of the same.
- (k) To establish and operate from time to time and to such extent as may be deemed advisable a research department in connection with the business of the association.

- (l) To carry on in accordance with co-operative principles the business of wholesale purchasers, procurers, shippers, vendors and dealers of and in goods, wares and merchandise of every kind and description used in agriculture and farming or by consumers, including hardware, lumber, building materials, fuel, machinery, farm implements, binder twine, dry goods and groceries, and to manufacture, produce, adapt, prepare, buy, sell and otherwise deal in any or all of the said goods, wares and merchandise and in any materials, articles or things required in connection with or incidental to such wholesale or manufacturing business.
- (m) To purchase, take in exchange, lease, hire or otherwise acquire, work, maintain, drain, farm, plant, pave, erect, build, construct, add to, improve, develop or use any lands, easements, or other rights in land, buildings, machinery, mills, warehouses, plants, factories, offices, houses, or other real or personal property required for the purposes of the association and wherever situated whether on the association's property or otherwise, and to add to, furnish, operate, rent, exchange, lease, sell or otherwise dispose of the same or any part of the same.
- (n) To mortgage, pledge, hypothecate, borrow money upon and otherwise deal with farm produce and all documents of or evidencing title thereto, either as principal, agent, broker or attorney.
- (o) To advance money to its members or others whose farm produce it may handle on such terms as may seem expedient.
- (p) To pay or recoup to, reimburse for, or distribute among any members or contract holders of this association any moneys contributed directly or indirectly to the association by them, or deducted or retained from the proceeds of their farm produce on the basis as far as practicable of the contributions so made and either in whole or in part and at such times and in such manner and either with or without interest thereon as in the absolute discretion of the association may seem expedient.
- (q) To distribute among the members of this association in kind any property of this association and in particular any shares, debentures or securities of other companies or associations belonging to this association or of which this association may have the power of disposing.

- (r) To compensate members of the association for any loss incurred by reason of injury to farm produce in course of transit, and to make provision, by way of deduction, from proceeds of farm produce handled by the association or otherwise as the association may from time to time determine, for any fund or funds from which to pay such compensation.
- (s) To enter into contracts with any person, firm, association, corporation or company for purposes of selling to or supplying such person, firm, association, corporation or company with goods, wares and merchandise of all kinds and descriptions as afore-said under a term contract or otherwise and under such conditions as will serve the interests of the company.
- (t) To act in carrying out of any of the powers of this association through servants, employees, agents, sub-agents, brokers, solicitors, bankers, auditors and experts.
- (u) To incorporate or secure the incorporation of, and take stock *in* any subsidiary company or association which the directors of the association may deem desirable or expedient for the purpose of more effectively carrying out the objects of the association or any of them, or to segregate any or all of the classes of business carried on by the association.
- (v) To sell or dispose of the undertaking of the association or any part thereof for such consideration as the association may think fit, and in particular for shares, debentures or securities of any other corporation having objects altogether or in part similar to those of the association, if authorized so to do by the vote of two-thirds of the delegates present at a meeting thereof duly called for considering the matter.

Provided that if the directors deem it in the interest of the association and its members as a whole nothing herein contained shall be deemed to prevent the association from buying from or selling to or for any of its members or other persons any farm produce or other commodities on a profit basis and the association is hereby authorized so to deal.

And for the foregoing purposes and to enable it more fully to exercise its powers, the association shall be deemed to have and shall have and enjoy the powers and capacity conferred upon companies or corporations by *The Companies Act*, ^{Rev. Stat., c. 218.} and particularly and without limiting the generality of the foregoing by sections 23, 24, subsection 1 of section 80 and subsection 1 of section 84 thereof in so far as such powers

and capacity are applicable to the association and not inconsistent with this Act; and the said *Companies Act*, shall in so far as it is not inconsistent with the provisions of this Act and the by-laws of the association, apply to the association.

Organization
of local ship-
ping associa-
tions.

11.—(1) The association shall have power to organize and constitute from among its members local shipping associations (hereinafter referred to as locals), to facilitate the assembling of farm produce for shipment at any particular shipping point or shipping points, to give to each such local a distinctive name, to delegate to and confer upon any such local such powers, rights and privileges from time to time as may seem expedient and conducive to the carrying out of the objects of this association, and further the interests of its members in the co-operative marketing of farm produce, and to make all appropriate by-laws and regulations in respect thereto.

Powers
of locals.

(2) When a local has been duly constituted in accordance with the provisions of this Act and the by-laws of the association in that behalf it shall have power to hold in its own name real and personal property and to alienate or otherwise deal with the same or any part thereof, and to make contracts dealing with matters of a local nature within the limits prescribed by the association, provided, however, that such locals shall not have power to bind the association nor shall the association be liable for any claim, legal or equitable, arising out of any action of any of its locals, nor shall the association or the creditors thereof have any right or claim to any of the property of any such local.

By-laws
for locals.

(3) All locals may make by-laws for the conduct of the business and proceedings thereof, but the same shall not be operative or effective unless and until a certified copy thereof has been deposited by the local with the secretary of the association and approved by the directors thereof, in default of which and until such conditions have been complied with, the standard set of by-laws provided by the association for locals shall be the by-laws thereof.

Contracts
of agents
binding.

12. Every contract, agreement, engagement or bargain made and every bill of exchange drawn, accepted or indorsed, and every promissory note and cheque made, drawn or indorsed, and every weight ticket or bill of lading made, drawn, signed or indorsed on behalf of the said association by any agent, officer or servant of the association in general accordance with his powers as such under the by-laws of the association shall be binding upon the association and in no case shall it be necessary to have the seal of the association affixed to any such contract, agreement, engagement, bargain, bill of exchange, promissory note, cheque, weight ticket or bill of lading or document of like nature, or to prove that the same was made, drawn, accepted, signed or indorsed,

as the case may be, in pursuance of any by-law or special vote or order, nor shall the party so acting as agent, officer or servant of the association be thereby subject individually to any liability whatsoever to any third party therefor.

13.—(1) The association may enter into contracts or marketing agreements with its members requiring the members to sell or deliver for sale, for any period of time not exceeding seven years, all or any of their farm produce exclusively to or through the association or any agencies created by the association. ^{Contracts with members.}

(2) The said association may, by contracts or marketing agreements entered into with its members, fix as liquidated damages specific sums to be paid by its members to the association upon breach by them of any provision of the contract or marketing agreement regarding the sale or delivery or withholding of farm produce, and any such provision fixing specific sums as liquidated damages shall be valid and enforceable as such in the courts of Ontario, and such sums shall not be deemed a penalty or in the nature of a penalty.

(3) Any contract or marketing agreement may provide that the association may sell or resell the products delivered to it by its members with or without taking title thereto, and pay over to its members the proceeds thereof, after deducting all necessary selling, overhead and other costs and expenses, and all such amounts as may be required for meeting liabilities or for reserves or for acquiring real or personal property for the erection of warehouses or other buildings or the acquisition of any mechanical or other facilities connected with the handling, processing, manufacturing and marketing of farm produce, or for the creation of any fund or funds from which to pay compensation to members for injury or damage to farm produce in course of transit, or for providing a fund to be used as working capital for the association. ^{Deductions.}

(4) In the event of a breach by a member of any such contract or marketing agreement, as to the delivery or marketing of any farm produce otherwise than through the said association, the association shall be entitled to an injunction to prevent further breach thereof, and to a decree of specific performance of the said contract or marketing agreement. ^{Injunction and specific performance.}

14. This Act shall come into force on the day upon which it receives the Royal Assent. ^{Commencement of Act}

BILL

An Act to incorporate United Farmers
Co-operative Association.

1st Reading

March 10th, 1931

2nd Reading

March 27th, 1931

3rd Reading

March 31st, 1931

MR. OLIVER

No. 66

2ND SESSION, 18TH LEGISLATURE, ONTARIO

21 GEORGE V, 1931

BILL

An Act respecting the Town of Eastview.

MR. SEGUIN

(PRIVATE BILL)

TORONTO

PRINTED BY HERBERT H. BALL

PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

BILL

An Act respecting the Town of Eastview.

Preamble.

WHEREAS the corporation of the town of Eastview has by its petition represented that it has incurred a floating debt of \$75,000 which has arisen by the inability, neglect or refusal of owners of vacant lands in the said municipality to pay the taxes due thereon, and, while the corporation proposes to endeavour to reduce its annual expenditure so that the same may conform to its annual receipts, that to pay off the said indebtedness forthwith, in addition to meeting the current annual expenses, would be unduly burdensome on the ratepayers of the said town, and therefore prays that the said floating debt may be consolidated and that the said corporation may be authorized to borrow money by the issue of debentures to pay off the said floating debt; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Town of Eastview Act, 1931*.

Debentures for floating debt.

2. The floating debt of the corporation of the town of Eastview is consolidated at the sum of \$75,000 and the said corporation may borrow by a special issue of debentures a sum not exceeding \$75,000 for the purpose of paying the said floating debt.

Term of debentures.

3. The said debentures shall be in sums of not less than \$100 each and shall be made payable in not more than twenty years from the date of issue thereof and shall bear interest at a rate not exceeding five and one-half per centum per annum and may be issued either with or without coupons attached thereto for interest and shall be payable at such place or places as the corporation may deem expedient.

Type of debentures.

4. The said debentures shall be payable in equal annual instalments of principal and interest in such manner and

in such amounts that the amount payable for principal and interest in any year shall be equal as nearly as may be to the amount which is payable for principal and interest during each of the other years of the period within which the said debt is to be discharged.

Special rate.

5. The said corporation shall levy in each year during the period within which the said debt is payable in addition to all other rates a special rate sufficient to produce and pay the annual instalments of principal and interest falling due upon the said debentures.

Application of debentures.

6. The said debentures and all moneys arising from the sale thereof shall be applied in payment of the said floating debt and for no other purpose.

Assent of electors not requisite.

7. It shall not be necessary to obtain the assent of the electors of the said town to any by-law which shall be passed under the authority of this Act or to observe the formalities in relation thereto prescribed by *The Municipal Act*.

Rev. Stat., c. 233.

Irregularities not to invalidate.

8. No irregularity in the form of the said debentures or any of them, or of any by-law authorizing the issue thereof shall render the same invalid or illegal or be allowed as a defence to any action brought against the said corporation for the recovery of the said debentures or interest or any part thereof and the purchaser or holder thereof shall not be bound to enquire as to the necessity of passing such by-law or issuing debentures or as to the application of the proceeds thereof.

Treasurer to keep books.

9. It shall be the duty of the treasurer, for the time being, of the said town, to keep, and it shall be the duty of each of the members, from time to time, of the council to procure such treasurer to keep, and see that he does keep, a proper book of account, setting forth a full and particular statement, so that the same shall at all times show the number of the debentures which from time to time shall be issued under the powers conferred by this Act, and the respective amounts, payment of which is thereby secured, and the times at which the said debentures shall respectively become due and payable, and the several amounts which shall from time to time be realized from the sales or negotiations of the said debentures, and the application which shall from time to time be made of the said amounts and the said book of account and statement shall at all times, and at all reasonable hours, be open to the inspection of any ratepayer of the said town and of any of the holders from time to time, of the debentures which shall be issued under the powers hereby conferred, or any of such debentures.

Commencement of Act.

10. This Act shall come into force on the day upon which it receives the Royal Assent.

BILL

An Act respecting the Town of Eastview.

1st Reading

2nd Reading

3rd Reading

MR. SEGUIN

(*Private Bill*)

No. 66

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3. The said debentures shall be in sums of not less than \$100 each and shall be made payable in not more than twenty years from the date of issue thereof and shall bear interest at a rate not exceeding five and one-half per centum per annum and may be issued either with or without coupons attached thereto for interest and shall be payable at such place or places as the corporation may deem expedient.

Type of
debentures.

4. The said debentures shall be payable in equal annual instalments of principal and interest in such manner and

in such amounts that the amount payable for principal and interest in any year shall be equal as nearly as may be to the amount which is payable for principal and interest during each of the other years of the period within which the said debt is to be discharged.

Special rate.

5. The said corporation shall levy in each year during the period within which the said debt is payable in addition to all other rates a special rate sufficient to produce and pay the annual instalments of principal and interest falling due upon the said debentures.

Application of debentures.

6. The said debentures and all moneys arising from the sale thereof shall be applied in payment of the said floating debt and for no other purpose.

Assent of electors not requisite.

7. It shall not be necessary to obtain the assent of the electors of the said town to any by-law which shall be passed under the authority of this Act or to observe the formalities in relation thereto prescribed by *The Municipal Act*.

Rev. Stat., c. 233.

Irregularities not to invalidate.

8. No irregularity in the form of the said debentures or any of them, or of any by-law authorizing the issue thereof shall render the same invalid or illegal or be allowed as a defence to any action brought against the said corporation for the recovery of the said debentures or interest or any part thereof and the purchaser or holder thereof shall not be bound to enquire as to the necessity of passing such by-law or issuing debentures or as to the application of the proceeds thereof.

Treasurer to keep books.

9. It shall be the duty of the treasurer, for the time being, of the said town, to keep, and it shall be the duty of each of the members, from time to time, of the council to procure such treasurer to keep, and see that he does keep, a proper book of account, setting forth a full and particular statement, so that the same shall at all times show the number of the debentures which from time to time shall be issued under the powers conferred by this Act, and the respective amounts, payment of which is thereby secured, and the times at which the said debentures shall respectively become due and payable, and the several amounts which shall from time to time be realized from the sales or negotiations of the said debentures, and the application which shall from time to time be made of the said amounts and the said book of account and statement shall at all times, and at all reasonable hours, be open to the inspection of any ratepayer of the said town and of any of the holders from time to time, of the debentures which shall be issued under the powers hereby conferred, or any of such debentures.

New undertakings, etc., to be approved by Ontario Railway and Municipal Board.

10. Notwithstanding anything in any general or special Act contained the said corporation shall not hereafter under-

take any work or incur any expenditures or liabilities of any nature which shall require or may involve debentures of the said corporation being issued to pay for the cost of such work or to meet such expenditures or liabilities without the approval of the Ontario Railway and Municipal Board being first obtained.

Yearly
estimates
to be
approved by
Director of
Municipal
Affairs.

11. The council of the said corporation shall not later than the first day of April in any year submit for the approval of the Director of the Bureau of Municipal Affairs the yearly estimates to be prepared under the provisions of *The Municipal Act* and the estimates as finally approved by him shall for the purposes of the said Act be the estimates upon which the said council shall levy the rates for the current year.

Auditor to be
approved.

12. The auditor of the corporation shall be approved by the said Director and shall not be removed from office without his consent.

Commence-
ment of Act.

13. This Act shall come into force on the day upon which it receives the Royal Assent.

BILL

An Act respecting the Town of Eastview.

1st Reading

March 10th, 1931

2nd Reading

3rd Reading

MR. SEGUN

*(Reprinted as amended by the Private
Bills Committee)*

No. 66

2ND SESSION, 18TH LEGISLATURE, ONTARIO
21 GEORGE V, 1931

BILL

An Act respecting the Town of Eastview.

MR. SEGUIN

No. 66

1931

BILL

An Act respecting the Town of Eastview.

Preamble

WHEREAS the corporation of the town of Eastview has by its petition represented that it has incurred a floating debt of \$75,000 which has arisen by the inability, neglect or refusal of owners of vacant lands in the said municipality to pay the taxes due thereon, and, while the corporation proposes to endeavour to reduce its annual expenditure so that the same may conform to its annual receipts, that to pay off the said indebtedness forthwith, in addition to meeting the current annual expenses, would be unduly burdensome on the ratepayers of the said town, and therefore prays that the said floating debt may be consolidated and that the said corporation may be authorized to borrow money by the issue of debentures to pay off the said floating debt; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Town of Eastview Act, 1931*.

Debentures
for floating
debt.

2. The floating debt of the corporation of the town of Eastview is consolidated at the sum of \$75,000 and the said corporation may borrow by a special issue of debentures a sum not exceeding \$75,000 for the purpose of paying the said floating debt.

Term of
debentures.

3. The said debentures shall be in sums of not less than \$100 each and shall be made payable in not more than twenty years from the date of issue thereof and shall bear interest at a rate not exceeding five and one-half per centum per annum and may be issued either with or without coupons attached thereto for interest and shall be payable at such place or places as the corporation may deem expedient.

Type of
debentures.

4. The said debentures shall be payable in equal annual instalments of principal and interest in such manner and

in such amounts that the amount payable for principal and interest in any year shall be equal as nearly as may be to the amount which is payable for principal and interest during each of the other years of the period within which the said debt is to be discharged.

5. The said corporation shall levy in each year during the period within which the said debt is payable in addition to all other rates a special rate sufficient to produce and pay the annual instalments of principal and interest falling due upon the said debentures. Special rate.

6. The said debentures and all moneys arising from the sale thereof shall be applied in payment of the said floating debt and for no other purpose. Application of debentures.

7. It shall not be necessary to obtain the assent of the electors of the said town to any by-law which shall be passed under the authority of this Act or to observe the formalities in relation thereto prescribed by *The Municipal Act*. Assent of electors not requisite. Rev. Stat., c. 233.

8. No irregularity in the form of the said debentures or any of them, or of any by-law authorizing the issue thereof shall render the same invalid or illegal or be allowed as a defence to any action brought against the said corporation for the recovery of the said debentures or interest or any part thereof and the purchaser or holder thereof shall not be bound to enquire as to the necessity of passing such by-law or issuing debentures or as to the application of the proceeds thereof. Irregularities not to invalidate.

9. It shall be the duty of the treasurer, for the time being, of the said town, to keep, and it shall be the duty of each of the members, from time to time, of the council to procure such treasurer to keep, and see that he does keep, a proper book of account, setting forth a full and particular statement, so that the same shall at all times show the number of the debentures which from time to time shall be issued under the powers conferred by this Act, and the respective amounts, payment of which is thereby secured, and the times at which the said debentures shall respectively become due and payable, and the several amounts which shall from time to time be realized from the sales or negotiations of the said debentures, and the application which shall from time to time be made of the said amounts and the said book of account and statement shall at all times, and at all reasonable hours, be open to the inspection of any ratepayer of the said town and of any of the holders from time to time, of the debentures which shall be issued under the powers hereby conferred, or any of such debentures. Treasurer to keep books.

10. Notwithstanding anything in any general or special Act contained the said corporation shall not hereafter under- New undertakings, etc., to be approved by Ontario Railway and Municipal Board.

take any work or incur any expenditures or liabilities of any nature which shall require or may involve debentures of the said corporation being issued to pay for the cost of such work or to meet such expenditures or liabilities without the approval of the Ontario Railway and Municipal Board being first obtained.

Yearly estimates to be approved by Director of Municipal Affairs.

11. The council of the said corporation shall not later than the first day of April in any year submit for the approval of the Director of the Bureau of Municipal Affairs the yearly estimates to be prepared under the provisions of *The Municipal Act* and the estimates as finally approved by him shall for the purposes of the said Act be the estimates upon which the said council shall levy the rates for the current year.

Auditor to be approved.

12. The auditor of the corporation shall be approved by the said Director and shall not be removed from office without his consent.

Commencement of Act.

13. This Act shall come into force on the day upon which it receives the Royal Assent.

BILL

An Act respecting the Town of Eastview.

1st Reading

March 10th, 1931

2nd Reading

March 25th, 1931

3rd Reading

March 27th, 1931

MR. SEGUN

No. 67

2ND SESSION, 18TH LEGISLATURE, ONTARIO
21 GEORGE V, 1931

BILL

**An Act respecting the Roman Catholic Episcopal Corporation for the
Diocese of Toronto, in Canada.**

MR. COTE

(PRIVATE BILL)

TORONTO
PRINTED BY HERBERT H. BALL
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

BILL

An Act respecting the Roman Catholic Episcopal Corporation for the Diocese of Toronto, in Canada.

Preamble,

WHEREAS the Roman Catholic Episcopal Corporation for the Diocese of Toronto, in Canada, has by its petition represented that it was incorporated by an Act passed in the eighth year of the reign of Her late Majesty Queen Victoria, chaptered 82, entitled *An Act to incorporate the Roman Catholic Bishops of Toronto and Kingston, in Canada, in each diocese*, and that by an Act passed in the forty-fourth year of the reign of Her late Majesty Queen Victoria, chaptered 86, and by an Act passed in the forty-seventh year of the reign of Her late Majesty Queen Victoria, chaptered 92, certain further powers were conferred on the said corporation; and whereas doubts have arisen as to the power of the said corporation to borrow money on the credit of the corporation and to sign, draw, endorse, make and issue promissory notes, bills of exchange, guarantees, bonds, debentures and obligations, and to mortgage, charge, hypothecate and pledge the real and personal property of the corporation; and whereas the said corporation has prayed that the said Acts may be amended so as to remove said doubts; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Roman Catholic Episcopal Corporation (Diocese of Toronto) Act, 1931*.

Borrowing power.

2. The Roman Catholic Episcopal Corporation for the Diocese of Toronto, in Canada, may borrow money on the credit of the corporation in such amounts, on such terms and from such persons, firms or corporations, including chartered banks, as may be determined by the corporation.

Promissory
notes, etc.

3. The said corporation may make, draw and endorse promissory notes or bills of exchange.

Guaranty of
obligations
of others.

4. The said corporation may guarantee, with or without security, upon such terms as it may determine any debts of, the performance of any obligations of, and the repayment of any advances made to, or for the purposes of any Roman Catholic corporation, organization, association or society engaged in activities in or partly in the diocese of Toronto or any officers thereof or any pastor of a parish in the diocese of Toronto, and notwithstanding that any such corporation, organization, association or society may not have power to borrow money, any such guarantee shall be valid and binding upon the said corporation in the same way as if such corporation, organization, association or society had power to borrow money.

Security
for moneys
borrowed
or for
guarantees.

5. The said corporation may hypothecate, pledge or charge any or all the personal property of the corporation to secure any money so borrowed or the fulfilment of any guarantee entered into by it or the fulfilment of the obligation incurred by it under any promissory note or bill of exchange signed, made, drawn or endorsed by it.

Issue of
bonds, etc.

6. The said corporation may issue bonds, debentures and obligations on such terms and conditions as the corporation may decide and may pledge or sell such bonds, debentures and obligations for such sums and at such prices as the corporation may decide, and may mortgage, charge, hypothecate or pledge all or any part of the real or personal property of the corporation to secure any such bonds, debentures and obligations.

Manner of
execution of
notes, bonds,
securities,
etc.

7. Notwithstanding any of the provisions of any of the above-recited Acts, every such promissory note, bill of exchange, guarantee, instrument of hypothecation, charge or pledge of personal property, bond, debenture and obligation made, drawn, signed or endorsed by the Archbishop of the said diocese on behalf of the corporation under the corporate seal of the corporation shall be legal, valid and binding upon the corporation, and the execution of any guarantee in the manner aforesaid shall be conclusive evidence that such guarantee is valid and binding upon the corporation.

Existing
borrowings
confirmed.

8. It is hereby declared that the said corporation shall be bound for payment of all moneys heretofore borrowed by and in the name of the corporation and shall be liable on all guarantees heretofore entered into by and in the name of the corporation, notwithstanding that the corporation may not have had power to borrow such moneys or to enter into such

guarantees, if such borrowing or such guarantees would have been valid if done or entered into after this Act had come into force.

Lender not
obliged to
see to appli-
cation of
moneys.

9. The persons, firms or corporations, including chartered banks, from whom any moneys may be borrowed by the corporation shall not be obliged to see to the application of the said moneys or any part thereof.

Construction
with prior
Acts.

10. This Act shall be read with the Act passed in the eighth year of the reign of Her late Majesty Queen Victoria, chaptered 82, the Act passed in the forty-fourth year of the reign of Her late Majesty Queen Victoria, chaptered 86, and the Act passed in the forty-seventh year of the reign of Her late Majesty Queen Victoria, chaptered 92, and the powers by this Act conferred shall be deemed to be in addition to the powers conferred upon the said corporation by the said Acts and in the case of conflict between the provisions of this Act and the provisions of any of the said Acts, the provisions of this Act shall govern.

Commence-
ment of Act.

11. This Act shall come into force on the day upon which it receives the Royal Assent.

BILL

An Act respecting the Roman Catholic
Episcopal Corporation for the Diocese
of Toronto, in Canada.

1st Reading

2nd Reading

3rd Reading

MR. COTE

(*Private Bill*)

No. 67

2ND SESSION, 18TH LEGISLATURE, ONTARIO

21 GEORGE V, 1931

BILL

An Act respecting the Roman Catholic Episcopal Corporation for the
Diocese of Toronto, in Canada.

MR. COTE

TORONTO

PRINTED BY HERBERT H. BALL

PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

No. 67

1931

BILL

An Act respecting the Roman Catholic Episcopal Corporation for the Diocese of Toronto, in Canada.

Preamble.

WHEREAS the Roman Catholic Episcopal Corporation for the Diocese of Toronto, in Canada, has by its petition represented that it was incorporated by an Act passed in the eighth year of the reign of Her late Majesty Queen Victoria, chaptered 82, entitled *An Act to incorporate the Roman Catholic Bishops of Toronto and Kingston, in Canada, in each diocese*, and that by an Act passed in the forty-fourth year of the reign of Her late Majesty Queen Victoria, chaptered 86, and by an Act passed in the forty-seventh year of the reign of Her late Majesty Queen Victoria, chaptered 92, certain further powers were conferred on the said corporation; and whereas doubts have arisen as to the power of the said corporation to borrow money on the credit of the corporation and to sign, draw, endorse, make and issue promissory notes, bills of exchange, guarantees, bonds, debentures and obligations, and to mortgage, charge, hypothecate and pledge the real and personal property of the corporation; and whereas the said corporation has prayed that the said Acts may be amended so as to remove said doubts; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Roman Catholic Episcopal Corporation (Diocese of Toronto) Act, 1931*.

Borrowing power.

2. The Roman Catholic Episcopal Corporation for the Diocese of Toronto, in Canada, may borrow money on the credit of the corporation in such amounts, on such terms and from such persons, firms or corporations, including chartered banks, as may be determined by the corporation.

3. The said corporation may make, draw and endorse ^{Promissory notes, etc.} promissory notes or bills of exchange.

4. The said corporation may guarantee, with or without ^{Guaranty of obligations of others.} security, upon such terms as it may determine any debts of, the performance of any obligations of, and the repayment of any advances made to, or for the purposes of any Roman Catholic corporation, organization, association or society engaged in activities in or partly in the diocese of Toronto or any officers thereof or any pastor of a parish in the diocese of Toronto, and notwithstanding that any such corporation, organization, association or society may not have power to borrow money, any such guarantee shall be valid and binding upon the said corporation in the same way as if such corporation, organization, association or society had power to borrow money.

5. The said corporation may hypothecate, pledge or charge any or all the personal property of the corporation to ^{Security for moneys borrowed or for guarantees.} secure any money so borrowed or the fulfilment of any guarantee entered into by it or the fulfilment of the obligation incurred by it under any promissory note or bill of exchange signed, made, drawn or endorsed by it.

6. The said corporation may issue bonds, debentures and ^{Issue of bonds, etc.} obligations on such terms and conditions as the corporation may decide and may pledge or sell such bonds, debentures and obligations for such sums and at such prices as the corporation may decide, and may mortgage, charge, hypothecate or pledge all or any part of the real or personal property of the corporation to secure any such bonds, debentures and obligations.

7. Notwithstanding any of the provisions of any of the ^{Manner of execution of notes, bonds, securities, etc.} above-recited Acts, every such promissory note, bill of exchange, guarantee, instrument of hypothecation, charge or pledge of personal property, bond, debenture and obligation made, drawn, signed or endorsed by the Archbishop of the said diocese on behalf of the corporation under the corporate seal of the corporation shall be legal, valid and binding upon the corporation, and the execution of any guarantee in the manner aforesaid shall be conclusive evidence that such guarantee is valid and binding upon the corporation.

8. It is hereby declared that the said corporation shall be ^{Existing borrowings confirmed.} bound for payment of all moneys heretofore borrowed by and in the name of the corporation and shall be liable on all guarantees heretofore entered into by and in the name of the corporation, notwithstanding that the corporation may not have had power to borrow such moneys or to enter into such

guarantees, if such borrowing or such guarantees would have been valid if done or entered into after this Act had come into force.

Lender not
obliged to
see to appli-
cation of
moneys.

9. The persons, firms or corporations, including chartered banks, from whom any moneys may be borrowed by the corporation shall not be obliged to see to the application of the said moneys or any part thereof.

Construction
with prior
Acts.

10. This Act shall be read with the Act passed in the eighth year of the reign of Her late Majesty Queen Victoria, chaptered 82, the Act passed in the forty-fourth year of the reign of Her late Majesty Queen Victoria, chaptered 86, and the Act passed in the forty-seventh year of the reign of Her late Majesty Queen Victoria, chaptered 92, and the powers by this Act conferred shall be deemed to be in addition to the powers conferred upon the said corporation by the said Acts and in the case of conflict between the provisions of this Act and the provisions of any of the said Acts, the provisions of this Act shall govern.

Commence-
ment of Act.

11. This Act shall come into force on the day upon which it receives the Royal Assent.

BILL

An Act respecting the Roman Catholic
Episcopal Corporation for the Diocese
of Toronto, in Canada.

1st Reading

March 10th, 1931

2nd Reading

March 25th, 1931

3rd Reading

March 27th, 1931

MR. COTE

No. 68

2ND SESSION, 18TH LEGISLATURE, ONTARIO
21 GEORGE V, 1931

BILL

An Act respecting the Town of Haileybury.

MR. KENNEDY (Temiskaming)

(PRIVATE BILL)

TORONTO
PRINTED BY HERBERT H. BALL
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

No. 68

1931

BILL

An Act respecting the Town of Haileybury.

Preamble.

WHEREAS the corporation of the town of Haileybury has by its petition represented that it was incorporated as a town on the 30th day of July, 1904 and at the time of the incorporation there was a large amount of mining and milling of ore carrying on in the vicinity of the said town, which has to a great extent since diminished and the mines and mills have ceased to operate, resulting in a reduction in the population of the said town and a diminution in the assessed value of the rateable property; that on October 4th, 1922 a great fire occurred in the said town which completely destroyed seven-eighths of the assessed value of the rateable property of the town, and to a considerable extent such property has never been rebuilt; that the said corporation has incurred a floating debt of \$70,000, which amount includes about \$53,000 of uncollectible taxes; that the said town has an outstanding debenture debt of \$118,501.34 as hereinafter specified; that the total rateable assessment of the said town according to the last revised assessment roll is \$1,454,335; that the total amount of land within the limits of the said town comprises 750 acres, that there has been constructed about a mile and a half of permanent pavement and about ten miles of cement sidewalks within the town; that the town owns its own waterworks plant of a value of about \$124,500; and whereas the said corporation has by its petition represented that it is desirable and in the interests of the said corporation to consolidate the said floating debt and to issue debentures to pay for same and to renew the said outstanding debenture debt by the issue of new debentures therefor, it being otherwise too burdensome for the ratepayers of the said town to discharge the said floating debt and to retire the said outstanding debt at present maturities thereof, and has prayed that an Act be passed authorizing it to borrow money by the issuing of debentures to pay its floating and debenture indebtedness; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Town of Haileybury Act, 1931*.

Debentures for floating debt.

2.—(1) The floating debt of the corporation of the town of Haileybury is consolidated at the sum of \$70,000 and the said corporation may pass a by-law to borrow by a special issue of debentures a sum not exceeding \$70,000 for the purpose of paying the said floating debt, and such debentures shall be payable in not more than thirty years from the date of issue thereof.

Application of debentures.

(2) The said debentures and all moneys arising from the sale thereof shall be applied by the said corporation in payment of the said floating debt and for no other purpose.

Debentures to renew existing debt.

3.—(1) The said corporation may from time to time pass by-laws to borrow sums of money not exceeding in the aggregate \$118,501.31 by the issue of debentures payable in not more than thirty years from the respective dates of issue thereof for the purpose of retiring or redeeming the outstanding debentures of the said corporation set out in schedule "A" to this Act.

Application of debentures.

(2) The said debentures and all moneys arising therefrom shall be applied by the said corporation in the retiring or redemption of the said outstanding debentures and for no other purpose.

Calling in existing debentures.

(3) The treasurer of the said corporation shall, on receiving instructions from the council so to do, from time to time, but only with the consent of the holders thereof, call in any of the said outstanding debentures and shall discharge the same with the funds raised under this section; or may with the like consent substitute therefor debentures authorized to be issued under this section upon such terms as may be agreed upon between the said council and the holders of the said outstanding debentures.

Rate of debenture interest.

4. The said debentures shall bear interest at a rate not exceeding six per centum per annum, and may be issued either with or without coupons attached thereto for interest, and shall be payable at such place or places as the corporation may deem expedient.

Instalment debentures.

5. The said debentures shall be payable in equal annual instalments of principal and interest, in such manner and of such amounts that the amounts payable for principal and interest in any year shall be equal as nearly as may be to the amount payable for principal and interest during each of the other years of the period within which the debt is to be discharged.

Special rate
to meet
debenture
payments.

6. The said corporation shall levy in each year during the period within which the debt is payable, in addition to all other rates, a special rate sufficient to produce and pay the annual instalments of principal and interest falling due upon the said debentures.

Assent of
electors not
requisite.

7. It shall not be necessary to obtain the assent of the electors of the said town to the passing of any by-law which shall be passed under the authority of this Act, or to observe the formalities in relation thereto prescribed by *The Municipal Act*.

Rev. Stat.,
c. 233.

Irregularities
not to
invalidate.

8. No irregularity in the form of the said debentures or any of them, or of any by-law authorizing the issue thereof shall render the same invalid or illegal, or be allowed as a defence to any action brought against the said corporation for the recovery of the said debentures or interest or any part thereof; and the purchaser or holder thereof shall not be bound to enquire as to the necessity of passing such by-law or issuing debentures or as to the application of the proceeds thereof.

Treasurer
to keep
books.

9. It shall be the duty of the treasurer, for the time being, of the said town, to keep, and it shall be the duty of each of the members, from time to time, of the council to procure such treasurer to keep, and see that he does keep, a proper book of account, setting forth a full and particular statement, so that the same shall at all times show the number of debentures which from time to time shall be issued under the powers conferred by this Act, and the respective amounts, payment of which is thereby secured, and the times at which the said debentures shall respectively become due and payable, and the several amounts which shall, from time to time, be made of the said amounts and the said book of account and statement shall at all times, and at all reasonable hours, be open to the inspection of any ratepayer of the said town, and of any of the holders, from time to time, of the debentures which shall be issued under the powers hereby conferred, or any of such debentures.

Commence-
ment of Act.

10. This Act shall come into force on the day upon which it receives the Royal Assent.

SCHEDULE "A"

OUTSTANDING DEBENTURES

Waterworks Extension.

By-law No. 664.

Passed 1927—Due 1937—Amount of issue, \$1,800.00.

Amount owing..... \$1,365 25

Waterworks Extension.

By-law No. 604.

Passed 1924—Due 1944—Amount of issue, \$2,352.61.

Amount owing..... 1,906 51

Waterworks Construction.

By-law No. 148.

Passed 1907—Due 1937—Amount of issue, \$50,000.00.

Amount owing..... 18,820 59

Waterworks Construction.

By-law No. 240.

Passed 1910—Due 1940—Amount of issue, \$25,000.00.

Amount owing..... 12,557 76

Pump House Construction.

By-law No. 588.

Passed 1924—Due 1944—Amount of issue, \$20,000.00.

Amount owing..... 16,207 57

Filter Plant.

By-law No. 396.

Passed 1913—Due 1933—Amount of issue, \$20,000.00.

Amount owing..... 4,660 91

Chlorinator.

By-law No. 662.

Passed 1926—Due 1937—Amount of issue, \$1,500.00.

Amount owing..... 1,137 68

Fire Truck.

By-law No. 601.

Passed 1924—Due 1934—Amount of issue, \$5,000.00.

Amount owing..... 2,353 99

Fire Hall.

By-law No. 587.

Passed 1923—Due 1943—Amount of issue, \$15,000.00.

Amount owing..... 11,577 27

Street Paving.

By-law No. 697-707.

Passed 1928—Due 1948—Amount of issue, \$7,500.00.

Amount owing..... 7,079 99

Street Paving.

By-law No. 698-706.

Passed 1928—Due 1948—Amount of issue, \$3,800.00.

Amount owing..... 3,587 20

Street Paving.

By-law No. 682.

Passed 1928—Due 1948—Amount of issue, \$25,000.00.

Amount owing..... 23,600 00

Main Sewers.

By-law No. 77.

Passed 1907—Due 1937—Amount of issue, \$20,000.00.

Amount owing..... 7,528 36

Floating Debt.

By-law No. 305.

Passed 1912—Due 1932—Amount of issue, \$26,000.00.

Amount owing..... \$3,879 31

District Seat.

By-law No. 382.

Passed 1913—Due 1933—Amount of issue, \$5,000.00.

Amount owing..... 1,092 60

Waterworks Extension.

By-law No. 290.

Passed 1911—Due 1931—Amount of issue, \$15,000.00.

Amount owing..... 1,146 32

Total..... \$118,501 34

BILL

An Act respecting the Town of Haileybury.

1st Reading

2nd Reading

3rd Reading

MR. KENNEDY (Temiskaming)

(Private Bill)

No. 68

2ND SESSION, 18TH LEGISLATURE, ONTARIO
21 GEORGE V, 1931

BILL

An Act respecting the Town of Haileybury.

MR. KENNEDY (Temiskaming)

TORONTO
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No. 68

1931

BILL

An Act respecting the Town of Haileybury.

Preamble.

WHEREAS the corporation of the town of Haileybury has by its petition represented that it was incorporated as a town on the 30th day of July, 1904 and at the time of the incorporation there was a large amount of mining and milling of ore carrying on in the vicinity of the said town, which has to a great extent since diminished and the mines and mills have ceased to operate, resulting in a reduction in the population of the said town and a diminution in the assessed value of the rateable property; that on October 4th, 1922 a great fire occurred in the said town which completely destroyed seven-eighths of the assessed value of the rateable property of the town, and to a considerable extent such property has never been rebuilt; that the said corporation has incurred a floating debt of \$70,000, which amount includes about \$53,000 of uncollectible taxes; that the said town has an outstanding debenture debt of \$118,501.34 as hereinafter specified; that the total rateable assessment of the said town according to the last revised assessment roll is \$1,454,335; that the total amount of land within the limits of the said town comprises 750 acres, that there has been constructed about a mile and a half of permanent pavement and about ten miles of cement sidewalks within the town; that the town owns its own waterworks plant of a value of about \$124,500; and whereas the said corporation has by its petition represented that it is desirable and in the interests of the said corporation to consolidate the said floating debt and to issue debentures to pay for same and to renew the said outstanding debenture debt by the issue of new debentures therefor, it being otherwise too burdensome for the ratepayers of the said town to discharge the said floating debt and to retire the said outstanding debt at present maturities thereof, and has prayed that an Act be passed authorizing it to borrow money by the issuing of debentures to pay its floating and debenture indebtedness; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

—1. This Act may be cited as *The Town of Haileybury Act*, ^{Short title.} 1931.

2.—(1) The floating debt of the corporation of the town of Haileybury is consolidated at the sum of \$70,000 and the said corporation may pass a by-law to borrow by a special issue of debentures a sum not exceeding \$70,000 for the purpose of paying the said floating debt, and such debentures shall be payable in not more than twenty years from the date of issue thereof. ^{Debentures for floating debt.}

(2) The said debentures and all moneys arising from the sale thereof shall be applied by the said corporation in payment of the said floating debt and for no other purpose. ^{Application of debentures.}

3.—(1) The said corporation may from time to time pass by-laws to borrow sums of money not exceeding in the aggregate \$118,501.31 by the issue of debentures payable in not more than twenty years from the respective dates of issue thereof for the purpose of retiring or redeeming the outstanding debentures of the said corporation set out in schedule "A" to this Act. ^{Debentures to renew existing debt.}

(2) The said debentures and all moneys arising therefrom shall be applied by the said corporation in the retiring or redemption of the said outstanding debentures and for no other purpose. ^{Application of debentures.}

(3) The treasurer of the said corporation shall, on receiving instructions from the council so to do, from time to time, but only with the consent of the holders thereof, call in any of the said outstanding debentures and shall discharge the same with the funds raised under this section; or may with the like consent substitute therefor debentures authorized to be issued under this section upon such terms as may be agreed upon between the said council and the holders of the said outstanding debentures. ^{Calling in existing debentures.}

4. The said debentures shall bear interest at a rate not exceeding six per centum per annum, and may be issued either with or without coupons attached thereto for interest, and shall be payable at such place or places as the corporation may deem expedient. ^{Rate of debenture interest.}

5. The said debentures shall be payable in equal annual instalments of principal and interest, in such manner and of such amounts that the amounts payable for principal and interest in any year shall be equal as nearly as may be to the amount payable for principal and interest during each of the other years of the period within which the debt is to be discharged. ^{Instalment debentures.}

Special rate
to meet
debenture
payments.

6. The said corporation shall levy in each year during the period within which the debt is payable, in addition to all other rates, a special rate sufficient to produce and pay the annual instalments of principal and interest falling due upon the said debentures.

Assent of
electors not
requisite.

7. It shall not be necessary to obtain the assent of the electors of the said town to the passing of any by-law which shall be passed under the authority of this Act, or to observe the formalities in relation thereto prescribed by *The Municipal Act*.

Rev. Stat.,
c. 233.

Irregularities
not to
invalidate.

8. No irregularity in the form of the said debentures or any of them, or of any by-law authorizing the issue thereof shall render the same invalid or illegal, or be allowed as a defence to any action brought against the said corporation for the recovery of the said debentures or interest or any part thereof; and the purchaser or holder thereof shall not be bound to enquire as to the necessity of passing such by-law or issuing debentures or as to the application of the proceeds thereof.

Treasurer
to keep
books.

9. It shall be the duty of the treasurer, for the time being, of the said town, to keep, and it shall be the duty of each of the members, from time to time, of the council to procure such treasurer to keep, and see that he does keep, a proper book of account, setting forth a full and particular statement, so that the same shall at all times show the number of debentures which from time to time shall be issued under the powers conferred by this Act, and the respective amounts, payment of which is thereby secured, and the times at which the said debentures shall respectively become due and payable, and the several amounts which shall, from time to time, be made of the said amounts and the said book of account and statement shall at all times, and at all reasonable hours, be open to the inspection of any ratepayer of the said town, and of any of the holders, from time to time, of the debentures which shall be issued under the powers hereby conferred, or any of such debentures.

Commence-
ment of Act.

10. This Act shall come into force on the day upon which it receives the Royal Assent.

SCHEDULE "A"

OUTSTANDING DEBENTURES

Waterworks Extension.

By-law No. 664.

Passed 1927—Due 1937—Amount of issue, \$1,800.00.

Amount owing..... \$1,365 25

Waterworks Extension.

By-law No. 604.

Passed 1924—Due 1944—Amount of issue, \$2,352.61.

Amount owing..... 1,906 51

Waterworks Construction.

By-law No. 148.

Passed 1907—Due 1937—Amount of issue, \$50,000.00.

Amount owing..... 18,820 59

Waterworks Construction.

By-law No. 240.

Passed 1910—Due 1940—Amount of issue, \$25,000.00.

Amount owing..... 12,557 76

Pump House Construction.

By-law No. 588.

Passed 1924—Due 1944—Amount of issue, \$20,000.00.

Amount owing..... 16,207 57

Filter Plant.

By-law No. 396.

Passed 1913—Due 1933—Amount of issue, \$20,000.00.

Amount owing..... 4,660 91

Chlorinator.

By-law No. 662.

Passed 1926—Due 1937—Amount of issue, \$1,500.00.

Amount owing..... 1,137 68

Fire Truck.

By-law No. 601.

Passed 1924—Due 1934—Amount of issue, \$5,000.00.

Amount owing..... 2,353 99

Fire Hall.

By-law No. 587.

Passed 1923—Due 1943—Amount of issue, \$15,000.00.

Amount owing..... 11,577 27

Street Paving.

By-law No. 697-707.

Passed 1928—Due 1948—Amount of issue, \$7,500.00.

Amount owing..... 7,079 99

Street Paving.

By-law No. 698-706.

Passed 1928—Due 1948—Amount of issue, \$3,800.00.

Amount owing..... 3,587 20

Street Paving.

By-law No. 682.

Passed 1928—Due 1948—Amount of issue, \$25,000.00.

Amount owing..... 23,600 00

Main Sewers.

By-law No. 77.

Passed 1907—Due 1937—Amount of issue, \$20,000.00.

Amount owing..... 7,528 36

Floating Debt.

By-law No. 305.

Passed 1912—Due 1932—Amount of issue, \$26,000.00.

Amount owing..... \$3,879 31

District Seat.

By-law No. 382.

Passed 1913—Due 1933—Amount of issue, \$5,000.00.

Amount owing..... 1,092⁰⁰ 60*Waterworks Extension.*

By-law No. 290.

Passed 1911—Due 1931—Amount of issue, \$15,000.00.

Amount owing..... 1,146 32

Total..... \$118,501 34

BILL

An Act respecting the Town of Haileybury.

1st Reading

March 10th, 1931

2nd Reading

March 20th, 1931

3rd Reading

March 25th, 1931

MR. KENNEDY (Temiskaming)

No. 69

2ND SESSION, 18TH LEGISLATURE, ONTARIO
21 GEORGE V, 1931

BILL

An Act respecting the Township of Cambridge.

MR. SEGUIN

(PRIVATE BILL)

TORONTO
PRINTED BY HERBERT H. BALL
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

BILL

An Act respecting the Township of Cambridge.

Preamble.

WHEREAS the corporation of the township of Cambridge has by its petition represented that it has incurred a floating debt of \$18,000 which has arisen by reason of a defective system of yearly levies, and the said corporation has represented that to pay off the said indebtedness forthwith in addition to meeting the current annual expenses would be unduly burdensome on the ratepayers of the said township, and that in order to consolidate and pay off the said floating debt, it passed a by-law on the 29th day of September, 1930, numbered 463 to authorize the issue of debentures for \$18,000 which by-law was assented to by the electors of the said township on the 8th day of September, 1930, and the said corporation has prayed that power should be granted to consolidate the said floating debt and to issue debentures therefor in an amount not exceeding \$18,000, and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Township of Cambridge Act, 1931*.

Floating debt debentures.

2. The floating debt of the corporation of the township of Cambridge is consolidated at the sum of \$18,000, and the said corporation may borrow by a special issue of debentures a sum not exceeding \$18,000, for the purpose of paying the said floating debt.

Term of debentures, etc.

3. The said debentures shall be made payable in not more than twenty years from the date of issue thereof, and shall bear interest at a rate not exceeding five and one-half per centum per annum and may be issued with or without coupons attached thereto for interest and shall be payable at such place or places as the corporation may deem expedient.

Type of
debentures.

4. The said debentures may be payable in equal annual instalments of principal and interest in such manner and in such amounts that the amount payable for principal and interest in any year shall be equal as nearly as may be to what is payable for principal and interest during each of the other years of the period within which the said debt is to be discharged.

Special rate.

5. The said corporation shall levy in each year during the period within which the said debt is payable in addition to all other rates a special rate sufficient to produce and pay the annual instalments of principal and interest falling due upon the said debentures.

Application
of proceeds.

6. The said debentures and all moneys arising from the sale thereof shall be applied in payment of the said floating debt of \$18,000 and for no other purpose.

Assent of
electors not
required.

7. It shall not be necessary to obtain the assent of the electors of the said township qualified to vote on money by-laws to the passing of any by-law which shall be passed under the authority of this Act or to observe the formalities in relation thereto prescribed by *The Municipal Act*.

Rev. Stat.,
c. 233.

Irregu-
larities not to
invalidate.

8. No irregularity in the form of the said debentures or any of them, or of any by-law authorizing the issue thereof shall render the same invalid or illegal or be allowed as a defence to any action brought against the said corporation for the recovery of the said debentures or interest or any part thereof and the purchaser or holder thereof shall not be bound to enquire as to the necessity of passing such by-law or issuing debentures or as to the application of the proceeds thereof.

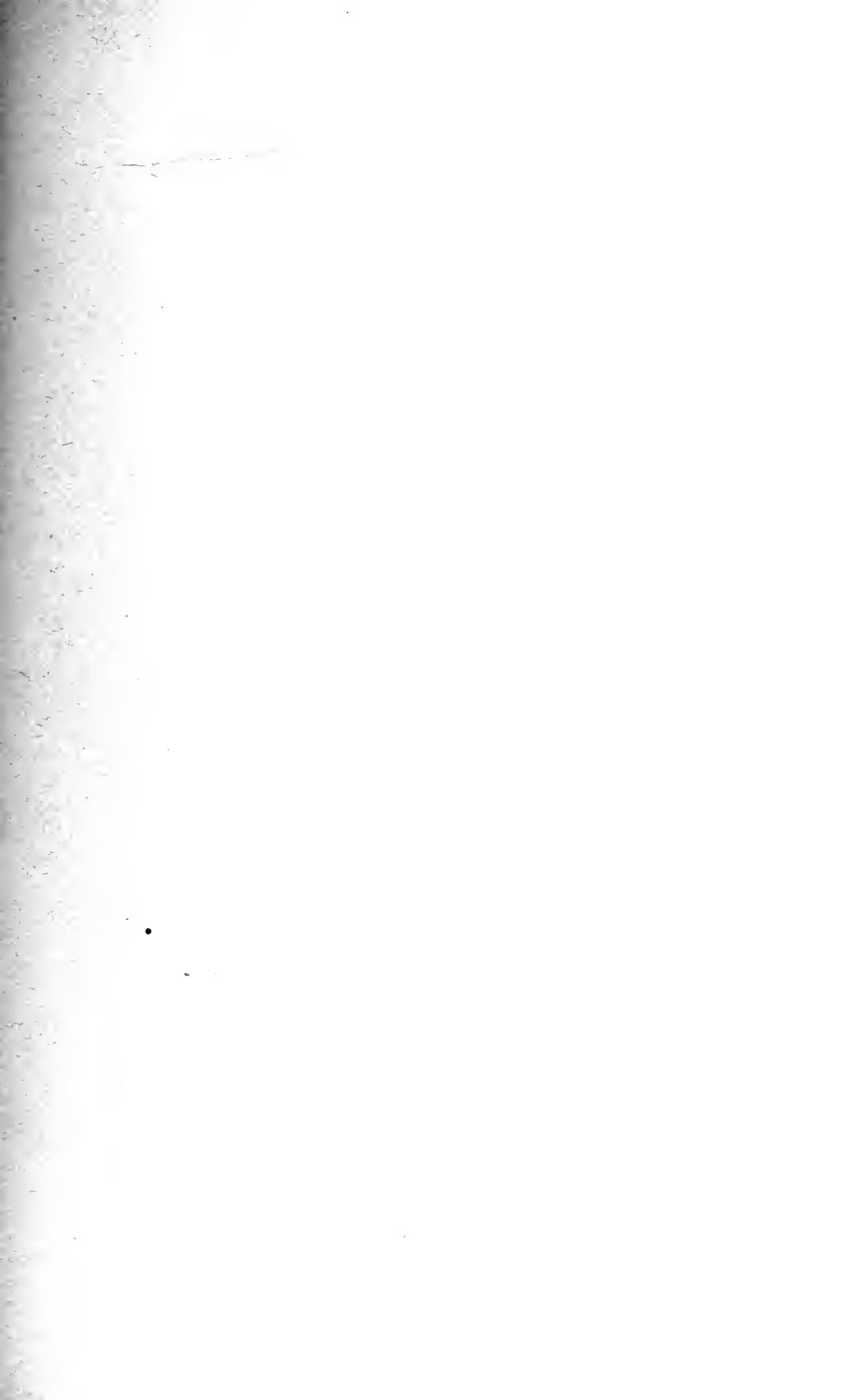
Treasurer
to keep
proper books
of account.

9. It shall be the duty of the treasurer, for the time being of the said township, to keep, and it shall be the duty of each of the members, from time to time of the council to procure such treasurer to keep, a proper book of account, setting forth a full and particular statement, so that the same shall at all times show the number of the debentures which from time to time shall be issued under the powers conferred by this Act, and the respective amounts, payment of which is hereby secured, and the time at which the said debentures shall respectively become due and payable, and the several amounts which shall from time to time be realized from the sales or negotiations of the said debentures, and the application which shall from time to time be made of the said amounts and the said book of account and statement shall at all times, and at all reasonable hours, be open to the inspection

of any ratepayer of the said township and of any of the holders from time to time, of the debentures which shall be issued under the powers hereby conferred, or any of such debentures.

Commence-
ment of Act.

10. This Act shall come into force on the day upon which it receives the Royal Assent.



BILL

An Act respecting the Township of
Cambridge.

1st Reading

2nd Reading

3rd Reading

MR. SEGUN

(*Private Bill*)

No. 69

2ND SESSION, 18TH LEGISLATURE, ONTARIO
21 GEORGE V, 1931

BILL

An Act respecting the Township of Cambridge.

MR. SEGUIN

TORONTO
PRINTED BY HERBERT H. BALL
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

No. 69

1931

BILL

An Act respecting the Township of Cambridge.

Preamble.

WHEREAS the corporation of the township of Cambridge has by its petition represented that it has incurred a floating debt of \$18,000 which has arisen by reason of a defective system of yearly levies, and the said corporation has represented that to pay off the said indebtedness forthwith in addition to meeting the current annual expenses would be unduly burdensome on the ratepayers of the said township, and that in order to consolidate and pay off the said floating debt, it passed a by-law on the 29th day of September, 1930, numbered 463 to authorize the issue of debentures for \$18,000 which by-law was assented to by the electors of the said township on the 8th day of September, 1930, and the said corporation has prayed that power should be granted to consolidate the said floating debt and to issue debentures therefor in an amount not exceeding \$18,000, and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Township of Cambridge Act, 1931*.

Floating debt
debentures.

2. The floating debt of the corporation of the township of Cambridge is consolidated at the sum of \$18,000, and the said corporation may borrow by a special issue of debentures a sum not exceeding \$18,000, for the purpose of paying the said floating debt.

Term of
debentures,
etc.

3. The said debentures shall be made payable in not more than ten years from the date of issue thereof, and shall bear interest at a rate not exceeding five and one-half per centum per annum and may be issued with or without coupons attached thereto for interest and shall be payable at such place or places as the corporation may deem expedient.

4. The said debentures may be payable in equal annual instalments of principal and interest in such manner and in such amounts that the amount payable for principal and interest in any year shall be equal as nearly as may be to what is payable for principal and interest during each of the other years of the period within which the said debt is to be discharged. Type of debentures.

5. The said corporation shall levy in each year during the period within which the said debt is payable in addition to all other rates a special rate sufficient to produce and pay the annual instalments of principal and interest falling due upon the said debentures. Special rate.

6. The said debentures and all moneys arising from the sale thereof shall be applied in payment of the said floating debt of \$18,000 and for no other purpose. Application of proceeds.

7. It shall not be necessary to obtain the assent of the electors of the said township qualified to vote on money by-laws to the passing of any by-law which shall be passed under the authority of this Act or to observe the formalities in relation thereto prescribed by *The Municipal Act*. Assent of electors not required. Rev. Stat., c. 233.

8. No irregularity in the form of the said debentures or any of them, or of any by-law authorizing the issue thereof shall render the same invalid or illegal or be allowed as a defence to any action brought against the said corporation for the recovery of the said debentures or interest or any part thereof and the purchaser or holder thereof shall not be bound to enquire as to the necessity of passing such by-law or issuing debentures or as to the application of the proceeds thereof. Irregularities not to invalidate.

9. It shall be the duty of the treasurer, for the time being of the said township, to keep, and it shall be the duty of each of the members, from time to time of the council to procure such treasurer to keep, a proper book of account, setting forth a full and particular statement, so that the same shall at all times show the number of the debentures which from time to time shall be issued under the powers conferred by this Act, and the respective amounts, payment of which is hereby secured, and the time at which the said debentures shall respectively become due and payable, and the several amounts which shall from time to time be realized from the sales or negotiations of the said debentures, and the application which shall from time to time be made of the said amounts and the said book of account and statement shall at all times, and at all reasonable hours, be open to the inspection Treasurer to keep proper books of account.

of any ratepayer of the said township and of any of the holders from time to time, of the debentures which shall be issued under the powers hereby conferred, or any of such debentures.

Commence-
ment of Act.

10. This Act shall come into force on the day upon which it receives the Royal Assent.

BILL

An Act respecting the Township of
Cambridge.

1st Reading

March 10th, 1931

2nd Reading

March 25th, 1931

3rd Reading

March 27th, 1931

MR. SEGWIN

No. 71

2ND SESSION, 18TH LEGISLATURE, ONTARIO
21 GEORGE V, 1931

BILL

An Act respecting Unemployment Relief.

MR. HENRY (East York)

TORONTO
PRINTED BY HERBERT H. BALL
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

No. 71

1931

BILL

An Act respecting Unemployment Relief.

Preamble.

WHEREAS under and by virtue of an agreement entered into the 2nd day of October, A.D. 1930, between the Honourable Gideon D. Robertson, Minister of Labour, acting on behalf of the Government of Canada, and the Honourable George S. Henry, acting Premier of the Province of Ontario, acting on behalf of the Province of Ontario, certain measures were adopted for the relief of unemployment conditions in Ontario; and whereas it is expedient that legislative sanction be given to the said measures;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Unemployment Relief Act (Ontario), 1931.*

Agreement
between
Dominion
and
Province
validated.

2. The agreement set out in schedule "A" made between the Honourable Gideon D. Robertson, Minister of Labour, on behalf of the Government of Canada, and the Honourable George S. Henry, acting Premier of the Province of Ontario, on behalf of the Government of Ontario, is declared to be and to have been since the 2nd day of October, A.D. 1930, valid and binding and the Government of Ontario shall be deemed to have been since the said date authorized to do all things, make all appropriations and enter into all agreements authorized and required to carry out the said agreement of the 2nd day of October, 1930.

Order-in-
Council
confirmed.

3. The Order-in-Council approved by the Lieutenant-Governor and dated the 14th day of October, A.D. 1930, a copy of which is set out in schedule "B" to this Act, is confirmed and shall be deemed to be and to have been since the 14th day of October, A.D. 1930, valid and binding.

Agreements
with muni-
cipalities
confirmed.

4.—(1) Every agreement heretofore or hereafter entered into between the Government of Ontario, represented by the

Minister of Public Works and Labour, and any municipal corporation in the form or to the effect set out in schedule "C," shall be deemed to be and to have been from the date thereof legal, valid and binding to all intents and purposes.

Issue of
debentures
without
assent of
electors.

(2) Where a municipal corporation has heretofore entered into or shall hereafter enter into any such agreement with the Government of Ontario the corporation may issue debentures to defray the cost of any work undertaken in pursuance of the agreement, and it shall not be necessary to obtain the assent of the electors to the by-law for the issue of such debentures nor to observe the other formalities with respect to any such by-law prescribed by *The Municipal Act*, but no such by-law shall be finally passed by the municipal council until the form of the by-law, the amount and term of the debentures and the work for which the same are to be issued have been approved by order of the Railway and Municipal Board and after such approval the debentures shall be deemed to be legal, valid and binding upon the municipal corporation and the ratepayers thereof.

Rev. Stat.,
c. 233.

Local
improve-
ment works.

(3) An agreement entered into under this section may include works constructed or to be constructed as local improvements.

Appropriation for
relief of
unemployment.

5. For the purpose of carrying out the obligations set out in the said agreement of the 2nd day of October, A.D. 1930, there shall be set aside out of the Consolidated Revenue Fund such sums from time to time as the Lieutenant-Governor in Council may direct, but not exceeding in the whole the sum of \$4,000,000, for relief works for the purpose of providing employment, and there shall be set aside out of the Consolidated Revenue Fund from time to time such sums as the Lieutenant-Governor in Council may direct, but not exceeding in the whole the sum of \$500,000, for the purpose of providing direct relief.

Direct relief.

Commence-
ment of Act.

6. This Act shall come into force on the day upon which it receives the Royal Assent.

SCHEDULE "A"

INDENTURE OF AGREEMENT entered into this 2nd day of October, A.D. 1930.

BETWEEN:

HONOURABLE GIDEON D. ROBERTSON, Minister of Labour on behalf of the Government of Canada, hereinafter called the "Dominion,"

of the first part,

—and—

HONOURABLE GEORGE S. HENRY, Acting Premier of the Province of Ontario, on behalf of the Government of the said Province, hereinafter called the "Province,"

of the second part.

Whereas the *Unemployment Relief Act, 1930*, being Chapter 1 of the Statutes of 1930 (Second Session) provides for an appropriation not exceeding the sum of Twenty Million dollars to be paid for the relief of unemployment out of the Consolidated Revenue Fund of Canada under such terms and conditions as may be approved by the Governor in Council;

And whereas by Order of the Governor in Council (P.C. 2246) made on the 26th of September, 1930, certain Regulations were made by which the Minister of Labour is authorized to enter into an agreement with the Government of any province to pay out of the moneys appropriated by the said Act certain sums for unemployment relief in accordance with the terms and conditions set forth in the said Regulations;

And whereas the Honourable George S. Henry on behalf of the Government of Ontario has intimated that the said Provincial Government is willing to enter into this agreement;

Now therefore it is agreed by and between the parties hereto that there may be paid out of the twenty million dollars appropriated by the said *Unemployment Relief Act* such sums as may be necessary to relieve unemployment in the Province of Ontario in accordance with the terms and conditions hereinafter set forth.

1. There shall be paid by the Dominion to the Province for distribution to the municipalities concerned one-third of the amount expended by such municipalities for direct relief where suitable work cannot be provided for the unemployed; there shall be paid by the Province out of the provincial funds for direct relief an amount equal to that contributed by the Dominion, and there shall be paid to the Province one-half of the amount expended by the said Province for direct relief in unorganized districts.

Such contributions by the Dominion and Province towards direct relief are to be made only after the submission of the said municipality of evidence satisfactory to the Minister of Labour that a serious unemployment situation exists in such municipality.

2. The Dominion shall pay to the Province for any municipality twenty-five per cent. of the cost of approved public works and undertakings necessary to supply suitable work for the unemployed in such municipality; the Province shall pay twenty-five per cent. of such cost and the remaining fifty per cent. of the said cost shall be assumed and borne by the municipality.

Such contributions by the Dominion and Province towards the cost of public works and undertakings in any municipality are to be made only after the submission of the said municipality of evidence satisfactory to the Minister of Labour that a serious unemployment situation exists in such municipality.

3. The Dominion may pay to the Province one-half of the cost of such public works and undertakings which may be carried on by the Province to provide suitable work for the unemployed, provided that should any of such public works and undertakings include the construction of highways in the counties of Ontario other than the Trans-Canada Highway, the proportion payable by the Dominion shall not exceed forty per cent. of such cost.

Such contributions by the Dominion and Province towards the cost of public works and undertakings in any municipality are to be made only after the submission of the said municipality of evidence satisfactory to the Minister of Labour that a serious unemployment situation exists.

4. The Dominion may pay to the Province one-half of any amount expended by the Province on the Trans-Canada Highway, and the location of the highway shall be subject to the approval of the Dominion.

5. The amount to be paid out of the moneys appropriated under the *Unemployment Relief Act* to carry on any public works and undertakings in the Province of Ontario, either by the Province or by municipalities within the Province, shall not exceed \$3,850,000.

6. The Province agrees to submit to the Dominion for approval a memorandum setting forth the public works and undertakings proposed to be carried on by the Province and municipalities as set forth in paragraphs 2, 3, and 4.

7. All public works and undertakings to which contributions may be made under the provisions of paragraphs 2, 3, and 4 of this memorandum are to be carried on continuously from the date of their commencement to the date of their completion, which latter date shall not be later than the first day of June, 1931.

8. This agreement is subject to the condition that fair wages will be paid and hours of work not exceeded on all public works in accordance with the intent of the *Fair Wages and Eight-Hour Day Act, 1930*, and the Fair Wages Policy of the Government of Canada as set forth in Order in Council (P.C. 1206), dated 7th June, 1922, and amendments thereto, and that all persons employed on such public works or undertakings shall be, as far as possible, residents of the locality in which the work is being performed, and that in no case shall discrimination be made in the employment of any persons by reason of their political affiliation.

9. Statements of accounts for expenditures by municipalities for direct relief or for public works and undertakings made under the provisions of this agreement shall be accompanied by a certificate of the appropriate provincial authority that expenditures have been duly made in accordance with such statements.

10. The Minister of Labour may at any time require the Province to furnish information, detailed or otherwise, in connection with statements of accounts rendered by the Province.

In witness whereof the parties hereto have affixed their signatures on the day and year first above written.

Signed in the presence of

C. FOSTER.

G. D. ROBERTSON,
Minister of Labour, Canada.

C. FOSTER.

GEO. S. HENRY,
Acting Premier of Ontario.

SCHEDULE "B"

ORDER-IN-COUNCIL approved by the Honourable the Lieutenant-Governor, dated the 14th day of October, A.D. 1930.

Upon the recommendation of the Honourable Geo. S. Henry, Acting Prime Minister, the Committee of Council advise that Your Honour may be pleased to approve the following recommendations for the administration of the Unemployment Relief Fund:—

1. Except where the context otherwise requires in this Order-in-Council the expression "Minister" means the Minister of Public Works and Labour.
2. There shall be reserved and paid out of the moneys appropriated by Special Warrant dated 14th October, 1930, one-third of the expenditure of municipalities for direct relief where suitable work cannot be provided for the unemployed in addition to one-third to be paid by the Dominion Government and one-half of direct relief in unorganized districts, in addition to one-half to be paid by the Dominion Government.
3. The Minister may enter into an agreement with any municipality for the payment by the Ontario Government of one-third of the said municipal expenditures for direct relief, in addition to one-third to be paid by the Dominion Government.
4. The Minister may enter into an agreement with any municipality for the payment to such municipality by the Government of Ontario of twenty-five per centum of the cost of such public works and undertakings as may be necessary to provide suitable work for the unemployed in addition to twenty-five per centum of the said cost to be paid by the Dominion Government, and that fifty per centum of the said cost shall be assumed and borne by the municipality.
5. The Minister may enter into an agreement with the Government of Canada for the carrying on by the Ontario Government of public works, improvements and other undertakings that will assist in providing suitable work for the unemployed, the cost of such public works and improvements to be borne by the Ontario and Dominion Governments in such proportions as may be agreed upon.
6. All agreements made with municipal authorities involving the expenditure of any portion of the moneys appropriated by the Act for public works or undertakings shall contain provisions for the payment of fair wages and hours of work in accordance with the intent of the *Fair Wages and Eight Hour Day Act, 1930*, and the Fair Wages Policy of the Government of Canada as set forth in Order-in-Council (P.C. 1206) dated 7th June, 1922, and amendments thereto. Agreements involving the expenditure of any portion of the said moneys for public works or undertakings shall contain a provision to the effect that all persons employed on such public works or undertakings shall be, as far as practicable, residents of the locality in which the work is being performed, and that in no case shall discrimination be made in the employment of any persons by reason of political affiliation.
7. Statements of accounts for expenditures by municipalities for direct relief or for public works and undertakings made under the provisions of this Order-in-Council shall be rendered monthly in duplicate accompanied by a certificate of the appropriate municipal authority that expenditures have been duly made in accordance with such statements.
8. The Minister may at any time require the municipality to furnish information, detailed or otherwise, in connection with statements of account rendered by the municipality.
9. The administration of this Order-in-Council shall be vested in the Minister of Highways, the Minister of Public Works and Labour, the Minister of Lands and Forests, the Minister of Agriculture, and the

Minister of Mines, and they shall be an advisory committee on expenditures to be made under this Order-in-Council.

10. Mr. J. A. Ellis is hereby appointed Secretary of such advisory committee.

11. All payments hereby authorized shall be made on the certificate of the Secretary of such advisory committee countersigned by the Minister of Public Works and Labour.

SCHEDULE "C"

AGREEMENT made the _____ day of _____ 193

BETWEEN:

THE LIEUTENANT-GOVERNOR IN COUNCIL OF THE PROVINCE
OF ONTARIO, represented by the Minister of Public Works and
Labour, hereinafter called "the Province,"

of the first part,

—and—

THE MUNICIPAL CORPORATION OF THE
hereinafter called "the Corporation,"

of the second part.

Whereas the Dominion of Canada and the Province have entered into an agreement to jointly provide certain funds for unemployment relief.

And whereas the Minister of Public Works and Labour has, by Order in Council approved by the Honourable the Lieutenant-Governor on the 14th day of October, 1930, been authorized to enter into an agreement with any Municipality for the payment to such Municipality by the Province, of certain monies to assist in unemployment relief.

Now this agreement witnesseth:

1. The Province will pay to the Corporation one-third of the expenditures of the Corporation for excess direct relief, in addition to one-third to be paid by the Dominion Government, commencing on 1st October, 1930, and terminating on 31st March, 1931. Such excess relief will be ascertained each month by deducting from the amounts expended each month the amounts expended for the same purpose in the corresponding month in the previous year.

2. The Province will also pay to the Corporation twenty-five per cent. of the cost of the public works and undertakings hereinafter set out, such works and undertakings being necessary to provide suitable work for the unemployed, in addition to twenty-five per cent. of the said cost to be paid by the Dominion Government. Fifty per cent. of the said cost is to be assumed and borne by the Corporation. Such public works and undertakings are as follows:

3. Statements of account for expenditures by the Corporation under the provisions of this agreement for direct relief, or for public works and undertakings, shall be rendered monthly in duplicate, accompanied by a certificate of the appropriate municipal authority that expenditures have been duly made in accordance with such statements.

4. The Corporation shall at any time furnish information, detailed or otherwise, required by the Province in connection with statements of account rendered by the Corporation.

5. (a) All mechanics, labourers, or other persons who perform labour in connection with the work contemplated by this agreement shall be paid such wages as are generally accepted as current from time to time

during the continuance of the work for competent workmen in the district in which the work is being performed for the character or class of work in which they are respectively engaged, provided that wages shall in all cases be such as are fair and reasonable and shall work such hours as are customary in the trade in the district where the work is carried on, provided that such working hours shall not exceed eight hours per day, unless for the protection of life and property, or for other cause shown to the satisfaction of the Minister of Labour for the Dominion of Canada longer hours of service are required. The said Minister of Labour may at any time and from time to time determine for the purposes of this agreement, what are the current or fair and reasonable rates of wages, and may from time to time, rescind, revoke, amend or vary any such decision.

(b) With a view to the avoidance of any abuses which might arise from the subletting of contracts it shall be understood that subletting, other than such as may be customary in the trades concerned, is prohibited unless the approval of the Minister of Labour for the Dominion is obtained; subcontractors shall be bound in all cases to conform to these labour conditions, and the corporation shall be held responsible for strict adherence to the said labour conditions on the part of all contractors and subcontractors.

(c) All workmen employed upon the work comprehended in and to be executed pursuant to this agreement shall be residents of Canada, and as far as practicable of the locality in which the work is being performed, and in no case shall discrimination be made in the employment of any persons by reason of their political affiliation.

6. No payment will be made by the Province in respect of expenditures made by the corporation after 31st March, 1931, for direct relief or on account of the public works and undertakings hereinbefore set out.

7. No payment will be made by the Province in respect of any excess cost of any public works or undertakings over and above the amounts set out in this agreement.

In witness whereof the Minister of Public Works and Labour for Ontario has hereunto set his hand and seal, and the head and clerk of the corporation have hereunto set their hands and fixed the seal of the corporation, the day and year first above written.

SIGNED, SEALED AND DELIVERED
in the presence of

Minister of Public Works and Labour for Ontario.

The Corporation of the

of

by

Mayor.

Clerk.

BILL

An Act respecting Unemployment Relief.

1st Reading

February 13th, 1931

2nd Reading

3rd Reading

MR. HENRY (East York)

No. 71

2ND SESSION, 18TH LEGISLATURE, ONTARIO
21 GEORGE V, 1931

BILL

An Act respecting Unemployment Relief.

MR. HENRY (East York)

No. 71

1931

BILL

An Act respecting Unemployment Relief.

Preamble.

WHEREAS under and by virtue of an agreement entered into the 2nd day of October, A.D. 1930, between the Honourable Gideon D. Robertson, Minister of Labour, acting on behalf of the Government of Canada, and the Honourable George S. Henry, acting Premier of the Province of Ontario, acting on behalf of the Province of Ontario, certain measures were adopted for the relief of unemployment conditions in Ontario; and whereas it is expedient that legislative sanction be given to the said measures;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Unemployment Relief Act (Ontario), 1931.*

Agreement
between
Dominion
and
Province
validated.

2. The agreement set out in schedule "A" made between the Honourable Gideon D. Robertson, Minister of Labour, on behalf of the Government of Canada, and the Honourable George S. Henry, acting Premier of the Province of Ontario, on behalf of the Government of Ontario, is declared to be and to have been since the 2nd day of October, A.D. 1930, valid and binding and the Government of Ontario shall be deemed to have been since the said date authorized to do all things, make all appropriations and enter into all agreements authorized and required to carry out the said agreement of the 2nd day of October, 1930.

Order-in-
Council
confirmed.

3. The Order-in-Council approved by the Lieutenant-Governor and dated the 14th day of October, A.D. 1930, a copy of which is set out in schedule "B" to this Act, is confirmed and shall be deemed to be and to have been since the 14th day of October, A.D. 1930, valid and binding.

Agreements
with muni-
cipalities
confirmed.

4.—(1) Every agreement heretofore or hereafter entered into between the Government of Ontario, represented by the

Minister of Public Works and Labour, and any municipal corporation in the form or to the effect set out in schedule "C," shall be deemed to be and to have been from the date thereof legal, valid and binding to all intents and purposes.

(2) Where a municipal corporation has heretofore entered into or shall hereafter enter into any such agreement with the Government of Ontario the corporation may issue debentures to defray the cost of any work undertaken in pursuance of the agreement, and it shall not be necessary to obtain the assent of the electors to the by-law for the issue of such debentures nor to observe the other formalities with respect to any such by-law prescribed by *The Municipal Act*, but no such by-law shall be finally passed by the municipal council until the form of the by-law, the amount and term of the debentures and the work for which the same are to be issued have been approved by order of the Railway and Municipal Board and after such approval the debentures shall be deemed to be legal, valid and binding upon the municipal corporation and the ratepayers thereof.

Issue of debentures without assent of electors.
Rev. Stat., c. 233.

(3) An agreement entered into under this section may include works constructed or to be constructed as local improvements.

Local improvement works.

(4) This section shall apply to the provisional county of Haliburton and the council of the said provisional county shall have power to issue debentures to the amount provided for in any contract heretofore or hereafter entered into between the Minister of Public Works and Labour and the corporation of the said provisional county.

Provisional county of Haliburton, —application of section 4 to.

5. For the purpose of carrying out the obligations set out in the said agreement of the 2nd day of October, A.D. 1930, there shall be set aside out of the Consolidated Revenue Fund such sums from time to time as the Lieutenant-Governor in Council may direct, but not exceeding in the whole the sum of \$4,000,000, for relief works for the purpose of providing employment, and there shall be set aside out of the Consolidated Revenue Fund from time to time such sums as the Lieutenant-Governor in Council may direct, but not exceeding in the whole the sum of \$500,000, for the purpose of providing direct relief.

Appropriation for relief of unemployment.
Direct relief.

6. This Act shall come into force on the day upon which it receives the Royal Assent.

Commencement of Act.

SCHEDULE "A"

INDENTURE OF AGREEMENT entered into this 2nd day of October, A.D. 1930.

BETWEEN:

HONOURABLE GIDEON D. ROBERTSON, Minister of Labour on behalf of the Government of Canada, hereinafter called the "Dominion,"

of the first part,

—and—

HONOURABLE GEORGE S. HENRY, Acting Premier of the Province of Ontario, on behalf of the Government of the said Province, hereinafter called the "Province,"

of the second part.

Whereas the *Unemployment Relief Act, 1930*, being Chapter 1 of the Statutes of 1930 (Second Session) provides for an appropriation not exceeding the sum of Twenty Million dollars to be paid for the relief of unemployment out of the Consolidated Revenue Fund of Canada under such terms and conditions as may be approved by the Governor in Council;

And whereas by Order of the Governor in Council (P.C. 2246) made on the 26th of September, 1930, certain Regulations were made by which the Minister of Labour is authorized to enter into an agreement with the Government of any province to pay out of the moneys appropriated by the said Act certain sums for unemployment relief in accordance with the terms and conditions set forth in the said Regulations;

And whereas the Honourable George S. Henry on behalf of the Government of Ontario has intimated that the said Provincial Government is willing to enter into this agreement;

Now therefore it is agreed by and between the parties hereto that there may be paid out of the twenty million dollars appropriated by the said *Unemployment Relief Act* such sums as may be necessary to relieve unemployment in the Province of Ontario in accordance with the terms and conditions hereinafter set forth.

1. There shall be paid by the Dominion to the Province for distribution to the municipalities concerned one-third of the amount expended by such municipalities for direct relief where suitable work cannot be provided for the unemployed; there shall be paid by the Province out of the provincial funds for direct relief an amount equal to that contributed by the Dominion, and there shall be paid to the Province one-half of the amount expended by the said Province for direct relief in unorganized districts.

Such contributions by the Dominion and Province towards direct relief are to be made only after the submission of the said municipality of evidence satisfactory to the Minister of Labour that a serious unemployment situation exists in such municipality.

2. The Dominion shall pay to the Province for any municipality twenty-five per cent. of the cost of approved public works and undertakings necessary to supply suitable work for the unemployed in such municipality; the Province shall pay twenty-five per cent. of such cost and the remaining fifty per cent. of the said cost shall be assumed and borne by the municipality.

Such contributions by the Dominion and Province towards the cost of public works and undertakings in any municipality are to be made only after the submission of the said municipality of evidence satisfactory to the Minister of Labour that a serious unemployment situation exists in such municipality.

3. The Dominion may pay to the Province one-half of the cost of such public works and undertakings which may be carried on by the Province to provide suitable work for the unemployed, provided that should any of such public works and undertakings include the construction of highways in the counties of Ontario other than the Trans-Canada Highway, the proportion payable by the Dominion shall not exceed forty per cent. of such cost.

Such contributions by the Dominion and Province towards the cost of public works and undertakings in any municipality are to be made only after the submission of the said municipality of evidence satisfactory to the Minister of Labour that a serious unemployment situation exists.

4. The Dominion may pay to the Province one-half of any amount expended by the Province on the Trans-Canada Highway, and the location of the highway shall be subject to the approval of the Dominion.

5. The amount to be paid out of the moneys appropriated under the *Unemployment Relief Act* to carry on any public works and undertakings in the Province of Ontario, either by the Province or by municipalities within the Province, shall not exceed \$3,850,000.

6. The Province agrees to submit to the Dominion for approval a memorandum setting forth the public works and undertakings proposed to be carried on by the Province and municipalities as set forth in paragraphs 2, 3, and 4.

7. All public works and undertakings to which contributions may be made under the provisions of paragraphs 2, 3, and 4 of this memorandum are to be carried on continuously from the date of their commencement to the date of their completion, which latter date shall not be later than the first day of June, 1931.

8. This agreement is subject to the condition that fair wages will be paid and hours of work not exceeded on all public works in accordance with the intent of the *Fair Wages and Eight-Hour Day Act, 1930*, and the Fair Wages Policy of the Government of Canada as set forth in Order in Council (P.C. 1206), dated 7th June, 1922, and amendments thereto, and that all persons employed on such public works or undertakings shall be, as far as possible, residents of the locality in which the work is being performed, and that in no case shall discrimination be made in the employment of any persons by reason of their political affiliation.

9. Statements of accounts for expenditures by municipalities for direct relief or for public works and undertakings made under the provisions of this agreement shall be accompanied by a certificate of the appropriate provincial authority that expenditures have been duly made in accordance with such statements.

10. The Minister of Labour may at any time require the Province to furnish information, detailed or otherwise, in connection with statements of accounts rendered by the Province.

In witness whereof the parties hereto have affixed their signatures on the day and year first above written.

Signed in the presence of

C. FOSTER.

G. D. ROBERTSON,
Minister of Labour, Canada.

C. FOSTER.

GEO. S. HENRY,
Acting Premier of Ontario.

SCHEDULE "B"

ORDER-IN-COUNCIL approved by the Honourable the Lieutenant-Governor, dated the 14th day of October, A.D. 1930.

Upon the recommendation of the Honourable Geo. S. Henry, Acting Prime Minister, the Committee of Council advise that Your Honour may be pleased to approve the following recommendations for the administration of the Unemployment Relief Fund:—

1. Except where the context otherwise requires in this Order-in-Council the expression "Minister" means the Minister of Public Works and Labour.

2. There shall be reserved and paid out of the moneys appropriated by Special Warrant dated 14th October, 1930, one-third of the expenditure of municipalities for direct relief where suitable work cannot be provided for the unemployed in addition to one-third to be paid by the Dominion Government and one-half of direct relief in unorganized districts, in addition to one-half to be paid by the Dominion Government.

3. The Minister may enter into an agreement with any municipality for the payment by the Ontario Government of one-third of the said municipal expenditures for direct relief, in addition to one-third to be paid by the Dominion Government.

4. The Minister may enter into an agreement with any municipality for the payment to such municipality by the Government of Ontario of twenty-five per centum of the cost of such public works and undertakings as may be necessary to provide suitable work for the unemployed in addition to twenty-five per centum of the said cost to be paid by the Dominion Government, and that fifty per centum of the said cost shall be assumed and borne by the municipality.

5. The Minister may enter into an agreement with the Government of Canada for the carrying on by the Ontario Government of public works, improvements and other undertakings that will assist in providing suitable work for the unemployed, the cost of such public works and improvements to be borne by the Ontario and Dominion Governments in such proportions as may be agreed upon.

6. All agreements made with municipal authorities involving the expenditure of any portion of the moneys appropriated by the Act for public works or undertakings shall contain provisions for the payment of fair wages and hours of work in accordance with the intent of the *Fair Wages and Eight Hour Day Act, 1930*, and the Fair Wages Policy of the Government of Canada as set forth in Order-in-Council (P.C. 1206) dated 7th June, 1922, and amendments thereto. Agreements involving the expenditure of any portion of the said moneys for public works or undertakings shall contain a provision to the effect that all persons employed on such public works or undertakings shall be, as far as practicable, residents of the locality in which the work is being performed, and that in no case shall discrimination be made in the employment of any persons by reason of political affiliation.

7. Statements of accounts for expenditures by municipalities for direct relief or for public works and undertakings made under the provisions of this Order-in-Council shall be rendered monthly in duplicate accompanied by a certificate of the appropriate municipal authority that expenditures have been duly made in accordance with such statements.

8. The Minister may at any time require the municipality to furnish information, detailed or otherwise, in connection with statements of account rendered by the municipality.

9. The administration of this Order-in-Council shall be vested in the Minister of Highways, the Minister of Public Works and Labour, the Minister of Lands and Forests, the Minister of Agriculture, and the

Minister of Mines, and they shall be an advisory committee on expenditures to be made under this Order-in-Council.

10. Mr. J. A. Ellis is hereby appointed Secretary of such advisory committee.

11. All payments hereby authorized shall be made on the certificate of the Secretary of such advisory committee countersigned by the Minister of Public Works and Labour.

SCHEDULE "C"

AGREEMENT made the

day of

193

BETWEEN:

THE LIEUTENANT-GOVERNOR IN COUNCIL OF THE PROVINCE OF ONTARIO, represented by the Minister of Public Works and Labour, hereinafter called "the Province,"

of the first part,

—and—

THE MUNICIPAL CORPORATION OF THE hereinafter called "the Corporation,"

of the second part.

Whereas the Dominion of Canada and the Province have entered into an agreement to jointly provide certain funds for unemployment relief.

And whereas the Minister of Public Works and Labour has, by Order in Council approved by the Honourable the Lieutenant-Governor on the 14th day of October, 1930, been authorized to enter into an agreement with any Municipality for the payment to such Municipality by the Province, of certain monies to assist in unemployment relief.

Now this agreement witnesseth:

1. The Province will pay to the Corporation one-third of the expenditures of the Corporation for excess direct relief, in addition to one-third to be paid by the Dominion Government, commencing on 1st October, 1930, and terminating on 31st March, 1931. Such excess relief will be ascertained each month by deducting from the amounts expended each month the amounts expended for the same purpose in the corresponding month in the previous year.

2. The Province will also pay to the Corporation twenty-five per cent. of the cost of the public works and undertakings hereinafter set out, such works and undertakings being necessary to provide suitable work for the unemployed, in addition to twenty-five per cent. of the said cost to be paid by the Dominion Government. Fifty per cent. of the said cost is to be assumed and borne by the Corporation. Such public works and undertakings are as follows:

3. Statements of account for expenditures by the Corporation under the provisions of this agreement for direct relief, or for public works and undertakings, shall be rendered monthly in duplicate, accompanied by a certificate of the appropriate municipal authority that expenditures have been duly made in accordance with such statements.

4. The Corporation shall at any time furnish information, detailed or otherwise, required by the Province in connection with statements of account rendered by the Corporation.

5. (a) All mechanics, labourers, or other persons who perform labour in connection with the work contemplated by this agreement shall be paid such wages as are generally accepted as current from time to time

during the continuance of the work for competent workmen in the district in which the work is being performed for the character or class of work in which they are respectively engaged, provided that wages shall in all cases be such as are fair and reasonable and shall work such hours as are customary in the trade in the district where the work is carried on, provided that such working hours shall not exceed eight hours per day, unless for the protection of life and property, or for other cause shown to the satisfaction of the Minister of Labour for the Dominion of Canada longer hours of service are required. The said Minister of Labour may at any time and from time to time determine for the purposes of this agreement, what are the current or fair and reasonable rates of wages, and may from time to time, rescind, revoke, amend or vary any such decision.

(b) With a view to the avoidance of any abuses which might arise from the subletting of contracts it shall be understood that subletting, other than such as may be customary in the trades concerned, is prohibited unless the approval of the Minister of Labour for the Dominion is obtained; subcontractors shall be bound in all cases to conform to these labour conditions, and the corporation shall be held responsible for strict adherence to the said labour conditions on the part of all contractors and subcontractors.

(c) All workmen employed upon the work comprehended in and to be executed pursuant to this agreement shall be residents of Canada, and as far as practicable of the locality in which the work is being performed, and in no case shall discrimination be made in the employment of any persons by reason of their political affiliation.

6. No payment will be made by the Province in respect of expenditures made by the corporation after 31st March, 1931, for direct relief or on account of the public works and undertakings hereinbefore set out.

7. No payment will be made by the Province in respect of any excess cost of any public works or undertakings over and above the amounts set out in this agreement.

In witness whereof the Minister of Public Works and Labour for Ontario has hereunto set his hand and seal, and the head and clerk of the corporation have hereunto set their hands and fixed the seal of the corporation, the day and year first above written.

SIGNED, SEALED AND DELIVERED
in the presence of

Minister of Public Works and Labour for Ontario.

The Corporation of the

of

by

Mayor.

Clerk.

BILL

An Act respecting Unemployment Relief.

1st Reading

February 13th, 1931

2nd Reading

February 18th, 1931

3rd Reading

March 18th, 1931

Mr. HENRY (East York)

2ND SESSION, 18TH LEGISLATURE, ONTARIO
21 GEORGE V, 1931

BILL

An Act to make Uniform the Law respecting Assignments
of Book Debts.

MR. PRICE

BILL

An Act to make Uniform the Law respecting Assignments of Book Debts.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

- Short title. **1.** This Act may be cited as *The Assignment of Book Debts Act, 1931*.
- Inter-pretation. **2.** In this Act, unless the context otherwise requires,—
- “Assignee.” (a) “Assignee” means any person to whom an assignment of book debts is made;
- “Assign-ment.” (b) “Assignment” includes every legal and equitable assignment, whether absolute or by way of security, and every mortgage or other charge upon book debts;
- “Assignor.” (c) “Assignor” means any person making an assignment of book debts;
- “Book debts.” (d) “Book debts” means all such accounts and debts whether existing or future as in the ordinary course of business would be entered in books, whether actually entered or not, and includes any part or class thereof;
- “Creditors.” (e) “Creditors” means creditors of the assignor, whether execution creditors or not, who become creditors before the registration of an assignment, and, for the purpose of enforcing the rights of such creditors but not otherwise, includes a creditor suing on behalf of himself and other creditors, an assignee for the general benefit of creditors, a trustee under the *Bankruptcy Act* and a liquidator of a company under the *Winding-up Act* of Canada or under a Provincial Act containing provisions for the winding-up of companies, without regard to the time when the
- R.S.C.,
cc. 11, 213.

EXPLANATORY NOTES.

The present *Assignment of Book Debts Act* had its origin in 1923. It consists of only four sections and leaves a great many matters unprovided for which are dealt with in the draft Bill.

Section 2. The interpretation section of the present Act is limited to two expressions "assignment" and "good consideration." The interpretation section in the Bill is entirely new.

creditor so suing becomes a creditor, or when the assignee, trustee or liquidator is appointed;

“Proper officer,”

- (f) “Proper Officer” means the officer in whose office assignments are required to be registered in any registration district;

“Registered,”

- (g) “Registered” means filed in accordance with the provisions of this Act;

“Registration district,”

- (h) “Registration district” means a district established under this Act for the registration of assignments;

“Subsequent purchasers,”

- (i) “Subsequent purchasers” includes any person who in good faith for valuable consideration and without notice obtains by assignment, an interest in book debts which have already been assigned;

“Valuable consideration,”

- (j) “Valuable consideration” includes,—

(i) any consideration sufficient to support a simple contract;

(ii) an antecedent debt or liability.

Application of Act.

3. This Act shall not apply to,—

- (a) any assignment of book debts, whether specific or by way of floating charge, made by a corporation and contained,—

(i) in a trust deed or other like instrument to secure bonds, debentures, or debenture stock of the corporation;

(ii) in any bonds, debentures, or debenture stock of the corporation, as well as in the trust deed or other like instrument securing the same; or

(iii) in any bonds, debentures, or debenture stock or any series of bonds or debentures of the corporation not secured by any trust deed or other like instrument;

- (b) any assignment of book debts due at the date of the assignment from specified debtors;

- (c) any assignment of debts growing due under specified contracts;

Section 3. The clause lettered (a) in section 3 is new. The other clauses are the same as in the present Act. Clause (a) is inserted to get over a technical objection that the Act would otherwise apply to mortgages to secure the debentures of corporations and similar instruments.

(d) any assignment of book debts included in a transfer of a business made *bona fide* and for value;

R.S.C., c. 11. (e) any assignment of book debts, included in any authorized assignment under the *Bankruptcy Act*.

Require-
ments as to
assignment.

4.—(1) Save as herein provided every assignment of book debts made by any person engaged in a trade or business shall be absolutely void as against the creditors of the assignor and as against the subsequent purchasers unless such assignment is,—

(a) in writing;

(b) accompanied by an affidavit of an attesting witness or affidavits of attesting witnesses, of the execution thereof by the assignor, or by the assignors respectively, identifying the assignment and stating the date of execution by the assignor, or the respective dates of execution by the assignors, as the case may be, and a further affidavit of the assignee or one of the several assignees, his or their agent, stating that the assignment was executed in good faith and for valuable consideration and not for the mere purpose of protecting the book debts therein mentioned against the creditors of the assignor or for the purpose of preventing such creditors from recovering any claims which they have against the assignor;

(c) registered, as hereinafter provided, together with the affidavits within thirty days of the execution of the assignment.

Two or more
assignors.

(2) If there are two or more assignors, the date of execution of the assignment shall be deemed to be the date of the execution by the assignor who last executes it.

To have
effect from
registration.

(3) Every assignment which is required to be in writing and to be registered under this Act shall, as against creditors and subsequent purchasers, take effect only from the time of the registration of the assignment.

How regis-
tration to be
effected.

5.—(1) Registration of an assignment under this Act shall be effected by filing the assignment together with such affidavits as are by this Act required, within thirty days from its execution, in the office of the proper officer of a registration district determined in accordance with the following rules:

(a) Where the assignor is a corporation incorporated under the laws of Ontario, in the registration district in which the head office or registered office is situate;

Section 4.—(1) This is substantially the same as section 2 of the present Act.

(2), (3) These are new. The matters covered by these subsections are not dealt within the present Act and are needed to complete the Bill.

Section 5.—(1) This makes an important change in fixing thirty days as the time within which an assignment of book debts must be registered. The clauses make more elaborate provision as to the place of registration than is contained in section 3 of the present Act.

- (b) Where the assignor is an extra-provincial corporation having a head office or registered office within Ontario, in the registration district in which such head office or registered office is situate;
- (c) Where the assignor is an extra-provincial corporation not having a head office or registered office within Ontario in any registration district in which the assignor carries on business;
- (d) Where the assignor is not a corporation, in the registration district in which the assignor carries on business at the time of the execution of the assignment;
- (e) Where the assignor is not a corporation, and at the time of the execution of the assignment carries on business in different registration districts, in any such registration district, and by filing a duplicate original of the assignment and affidavits, or a copy thereof, certified by the proper officer of that registration district, in each of the other registration districts.

Assignments to be numbered.

(2) The proper officer shall cause every assignment filed in his office to be numbered, to be endorsed with a memorandum of the day, hour and minute of filing, and to be indexed by entering in alphabetical order in a register kept by him, the names of the parties to the assignment with their descriptions and the dates of execution and registration of the assignment.

Where registration expires on Sunday.

(3) Where the time for registration of any assignment or other document expires on a Sunday or other day on which the office in which the registration is to be made is closed, the registration shall, so far as regards the time of registration, be valid if made on the next following day on which the office is open.

Discharge of assignment.

6.—(1) An assignment registered under this Act may be discharged in whole or in part by the registration in the office in which the same is registered of a certificate of discharge, signed by the assignee, his executors, administrators, or assigns, and accompanied by an affidavit of an attesting witness of the due execution thereof.

Noting discharge.

(2) The proper officer in whose office a certificate of discharge accompanied by the affidavit of execution is registered, shall note the fact of such discharge against each entry in the books of his office respecting the registration of the assign-

(2) This makes necessary provision for the keeping of proper records of registration which is not in the present Act.

(3) This may not be necessary but its insertion here removes any question.

Section 6.—(1) This is the same as subsection 2 of section 3 of the present Act except that the new section provides for a partial discharge.

(2) This is new and would appear to be necessary in order to keep the records correct.

ment, and shall make a like notation upon the assignment or copy registered in his office.

(3) If there are two or more assignors residing in different registration districts affected by the discharge, the registration may be effected either by filing a duplicate or other original of the certificate of discharge and affidavit of execution in the office of the proper officer in each of the registration districts, or by filing the certificate of discharge and affidavit of execution in one of the registration districts and by filing a certificate of the entry of the discharge therein, signed by the proper officer of that registration district in the office of the proper officer of each of the other registration districts and each proper officer shall make the like notations of the discharge in the records of his office as are provided by subsection 2.

(4) The proper officer in whose office the certificate of discharge is registered shall on request furnish a certificate of the entry of the discharge in the records of his office.

Inspection
of records.

7. Upon payment of the prescribed fees every person shall have access to and be entitled to inspect the books of any proper officer containing records or entries of assignments or documents registered or filed under the provisions of this Act, and no person shall be required, as a condition of his right thereto, to disclose the name of the person in respect of whom such access or inspection is sought, and every proper officer shall, upon request accompanied by payment of the prescribed fees, produce for inspection any assignment or document so registered or filed in his office.

Registration
districts and
offices.

8. For the purpose of registration of assignments or other documents each county and provisional judicial district in Ontario shall be a registration district and the clerk of the county or district court shall be the proper officer for the registration of assignments or documents in that registration district.

Taking
affidavits.

9.—(1) Affidavits required by this Act may be taken and made before the proper officer of any registration district or before any person, whether within or without Ontario, authorized to take affidavits in or concerning any cause, matter or thing pending in any court in Ontario.

Registra-
tion not
affected by
interest of
solicitor.

(2) No registered assignment or other document shall be held to be defective or void solely on the ground that any affidavit required by this Act was taken and made before a solicitor for any of the parties to the assignment or other document, or before a partner of such solicitor, or before a clerk in the office of such solicitor.

(3), (4) These are entirely new and complementary to subsections 1 and 2.

Section 7. This seems to aim at enabling persons such as the Credit Men's Association, R. G. Dunn & Company and Bradstreets to obtain necessary information for their subscribers. This section ought to be of considerable assistance where the affairs of a company or individual are being investigated under any statute.

Section 8. This is inserted because in some of the Provinces they have no county system of registration and the registration districts are defined in another way.

Section 9.—(1) This is new and makes necessary provision to remove doubts as to who may take the affidavits.

(2) This is new and seems to be required to make it plain that a solicitor for an interested party may take the affidavit.

Affidavit
in case of
death of
assignee.

10. Any affidavit required by this Act to be made by an assignee may, in the event of his death be made by his executor or administrator or by any of his next-of-kin or by the duly authorized agent of the executor or administrator.

Affidavit
on behalf of
corporation.

11. Where the assignee is a corporation, every affidavit required or permitted by this Act to be made or given by the corporation as such assignee may be made or given by any officer, employee or agent of the corporation.

Affidavit
of agent or
officer.

12. Any affidavit made for the purposes of this Act by the agent of an assignee, or of an executor or administrator, or by an officer, employee or agent of a corporation, shall state that the deponent is aware of the circumstances connected with the assignment, and that he has a personal knowledge of the facts deposed to.

No affidavit
of execution
by cor-
poration.

13. Where an assignment or certificate of discharge or other document has been executed by a corporation under the provisions of this Act no affidavit of an attesting witness shall be required.

Power
of judge to
permit proof
of execution
otherwise
than by
affidavit of
witness.

14. In case, before the making of any affidavit of execution required by this Act, the attesting witness to an assignment, certificate of discharge or other document dies or leaves Ontario, or becomes incapable of making, or refuses to make such affidavit, the judge of the county or district court may make an order permitting the registration of the assignment, certificate of discharge or other document, upon such proof of its due execution and attestation as the judge, by the order, may require and allow. The order, or a copy thereof, shall be annexed to the assignment, certificate of discharge, or other document, as the case may be, and filed therewith, and the registration of the assignment, certificate of discharge or other document under and in compliance with the terms of the order, shall have the like effect as the registration thereof with the affidavit of execution otherwise required by this Act.

Recti-
fication of
omissions
and mis-
statements.

15. Subject to the rights of other persons accrued by reason of any omission or misstatement referred to in this section, the judge of the county or district court on being satisfied that the omission to register an assignment within the time prescribed by this Act, or any omission or misstatement in any document filed under this Act, was accidental or due to inadvertence or impossibility, or other sufficient cause, may, in his discretion, extend the time for registration, or order the omission or misstatement to be rectified, on such terms and conditions, if any, as to security, notice by advertisement or otherwise, or as to any other

Section 10. This is new and covers a point which is always liable to arise.

Section 11. This makes necessary provision where affidavits are required to be made on behalf of a corporation.

Section 12. This section is new and is intended to guard against the treating of taking an affidavit as a mere formality and to ensure that the person making the affidavit can speak of his own knowledge.

Section 13. Special attention is called to this section, which is not in the present Act. It is a question whether documents of this kind should not always be attested by a witness especially in view of the multitude of private companies.

Section 14. This is new and makes necessary provision for the case of a witness dying or for some reason not being capable or willing to make the affidavit of execution. There is a similar provision in *The Dower Act*.

Section 15. This is new and intended to permit of a remedy in case of accident or inadvertance.

matter or thing as the judge thinks fit to direct. The order, or a copy thereof, made under this section shall be annexed to the assignment or copy thereof on file or tendered for registration and appropriate entries shall be made in the register.

Defects
and irregu-
larities.

16. No defect or irregularity in the execution or attestation of an assignment, or other document; no defect, irregularity or omission in any affidavit accompanying an assignment or filed in connection with its registration; and no error of a clerical nature or in an immaterial or non-essential part of an assignment shall invalidate or destroy the effect of the assignment or the registration thereof, unless in the opinion of the court or judge before whom a question relating thereto is tried such defect, irregularity, omission, or error has actually misled some person whose interests are affected by the assignment.

Evidence
of records.

17. Copies of an assignment, certificate of discharge or other document registered or filed under this Act certified by the registration clerk shall be received as *prima facie* evidence for all purposes as if the original assignment or document were produced and also as *prima facie* evidence of the execution of the original assignment or document according to the purport of such copy, and the clerk's certificate shall also be *prima facie* evidence of the date and hour of registration and filing.

Fees.

18. For services under this Act each registration clerk shall be entitled to receive the following fees:

1. For filing and registering an assignment,—fifty cents.
2. For filing and registering a certificate of discharge,—twenty-five cents.
3. For a general search,—fifty cents.
4. For any certificate of registration or discharge or other certificate for purposes of this Act,—twenty-five cents.
5. For copy of any document filed under this Act, including certificate, every 100 words,—ten cents.

Uniform
construction
of Act.

19. This Act shall be so interpreted and construed as to effect its general purpose of making uniform the law of those Provinces which enact it.

Commence-
ment of
Act.

20. This Act shall come into force on a day to be named by the Lieutenant-Governor by his Proclamation.

Section 16. This is new and intended as a further protection against purely technical and unsubstantial mistakes.

Section 17. This section is probably unnecessary in view of the provisions of our *Evidence Act* but as they are stated in very broad terms and there is no specific reference to the subject of this Act it would seem wiser to insert this provision.

Section 18. The present fees are 25 cents for registering an assignment, for registering a certificate of discharge, or for general search. There is no provision in the present section for a certificate of registration nor for copies of documents.

Section 19. This is a section which the Commissioners on Uniformity of Legislation have set much store by and although it is an unusual method of legislating it was hoped that the judges in one Province would have some regard to the course of interpretation by the judiciary in the other Provinces.

BILL

An Act to make Uniform the Law respecting
the Assignments of Book Debts.

1st Reading

February 13th, 1931

2nd Reading

3rd Reading

MR. PRICE

No. 72

2ND SESSION, 18TH LEGISLATURE, ONTARIO
21 GEORGE V, 1931

BILL

An Act to make Uniform the Law respecting Assignments
of Book Debts.

MR. PRICE

BILL

An Act to make Uniform the Law respecting Assignments of Book Debts.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Assignment of Book Debts Act, 1931*.

Inter-
pretation.

2. In this Act, unless the context otherwise requires,—

"Assignee."

(a) "Assignee" means any person to whom an assignment of book debts is made;

"Assign-
ment."

(b) "Assignment" includes every legal and equitable assignment, whether absolute or by way of security, and every mortgage or other charge upon book debts;

"Assignor."

(c) "Assignor" means any person making an assignment of book debts;

"Book
debts."

(d) "Book debts" means all such accounts and debts whether existing or future as in the ordinary course of business would be entered in books, whether actually entered or not, and includes any part or class thereof;

"Creditors."

(e) "Creditors" means creditors of the assignor, whether execution creditors or not, who become creditors before the registration of an assignment, and, for the purpose of enforcing the rights of such creditors but not otherwise, includes a creditor suing on behalf of himself and other creditors, an assignee for the general benefit of creditors, a trustee under the *Bankruptcy Act* and a liquidator of a company under the *Winding-up Act* of Canada or under a Provincial Act containing provisions for the winding-up of companies, without regard to the time when the

creditor so suing becomes a creditor, or when the assignee, trustee or liquidator is appointed;

- (f) "Proper Officer" means the officer in whose office assignments are required to be registered in any registration district; "Proper officer."
- (g) "Registered" means filed in accordance with the provisions of this Act; "Registered."
- (h) "Registration district" means a district established under this Act for the registration of assignments; "Registration district."
- (i) "Subsequent purchasers" includes any person who in good faith for valuable consideration and without notice obtains by assignment, an interest in book debts which have already been assigned; "Subsequent purchasers."
- (j) "Valuable consideration" includes,— "Valuable consideration."
 - (i) any consideration sufficient to support a simple contract;
 - (ii) an antecedent debt or liability.

3. This Act shall not apply to,—

Application
of Act.

- (a) any assignment of book debts, whether specific or by way of floating charge, made by a corporation and contained,—
 - (i) in a trust deed or other like instrument to secure bonds, debentures, or debenture stock of the corporation;
 - (ii) in any bonds, debentures, or debenture stock of the corporation, as well as in the trust deed or other like instrument securing the same; or
 - (iii) in any bonds, debentures, or debenture stock or any series of bonds or debentures of the corporation not secured by any trust deed or other like instrument;
- (b) any assignment of book debts due at the date of the assignment from specified debtors;
- (c) any assignment of debts growing due under specified contracts;

(d) any assignment of book debts included in a transfer of a business made *bona fide* and for value;

R.S.C., c. 11. (e) any assignment of book debts, included in any authorized assignment under the *Bankruptcy Act*.

Require-
ments as to
assignment.

4.—(1) Save as herein provided every assignment of book debts made by any person engaged in a trade or business shall be absolutely void as against the creditors of the assignor and as against the subsequent purchasers unless such assignment is,—

(a) in writing;

(b) accompanied by an affidavit of an attesting witness or affidavits of attesting witnesses, of the execution thereof by the assignor, or by the assignors respectively, identifying the assignment and stating the date of execution by the assignor, or the respective dates of execution by the assignors, as the case may be, and a further affidavit of the assignee or one of the several assignees, his or their agent, stating that the assignment was executed in good faith and for valuable consideration and not for the purpose of protecting the book debts therein mentioned against the creditors of the assignor or for the purpose of preventing such creditors from recovering any claims which they have against the assignor;

(c) registered, as hereinafter provided, together with the affidavits within thirty days of the execution of the assignment.

Two or more
assignors.

(2) If there are two or more assignors, the date of execution of the assignment shall be deemed to be the date of the execution by the assignor who last executes it.

To have
effect from
registration.

(3) Every assignment which is required to be in writing and to be registered under this Act shall, as against creditors and subsequent purchasers, take effect only from the time of the registration of the assignment.

How regis-
tration to be
effected.

5.—(1) Registration of an assignment under this Act shall be effected by filing the assignment together with such affidavits as are by this Act required, within thirty days from its execution, in the office of the proper officer of a registration district determined in accordance with the following rules:

(a) Where the assignor is a corporation incorporated under the laws of Ontario, in the registration district in which the head office or registered office is situate;

- (b) Where the assignor is an extra-provincial corporation having a head office or registered office within Ontario, in the registration district in which such head office or registered office is situate;
- (c) Where the assignor is an extra-provincial corporation not having a head office or registered office within Ontario in any registration district in which the assignor carries on business;
- (d) Where the assignor is not a corporation, in the registration district in which the assignor carries on business at the time of the execution of the assignment;
- (e) Where the assignor is not a corporation, and at the time of the execution of the assignment carries on business in different registration districts, in any such registration district, and by filing a duplicate original of the assignment and affidavits, or a copy thereof, certified by the proper officer of that registration district, in each of the other registration districts.

(2) The proper officer shall cause every assignment filed in his office to be numbered, to be endorsed with a memorandum of the day, hour and minute of filing, and to be indexed by entering in alphabetical order in a register kept by him, the names of the parties to the assignment with their descriptions and the dates of execution and registration of the assignment.

Assignments to be numbered.

(3) Where the time for registration of any assignment or other document expires on a Sunday or other day on which the office in which the registration is to be made is closed, the registration shall, so far as regards the time of registration, be valid if made on the next following day on which the office is open.

Where registration expires on Sunday.

6.—(1) An assignment registered under this Act may be discharged in whole or in part by the registration in the office in which the same is registered of a certificate of discharge, signed by the assignee, his executors, administrators, or assigns, and accompanied by an affidavit of an attesting witness of the due execution thereof.

Discharge of assignment.

(2) The proper officer in whose office a certificate of discharge accompanied by the affidavit of execution is registered, shall note the fact of such discharge against each entry in the books of his office respecting the registration of the assign-

Noting discharge.

ment, and shall make a like notation upon the assignment or copy registered in his office.

(3) If there are two or more assignors residing in different registration districts affected by the discharge, the registration may be effected either by filing a duplicate or other original of the certificate of discharge and affidavit of execution in the office of the proper officer in each of the registration districts, or by filing the certificate of discharge and affidavit of execution in one of the registration districts and by filing a certificate of the entry of the discharge therein, signed by the proper officer of that registration district in the office of the proper officer of each of the other registration districts and each proper officer shall make the like notations of the discharge in the records of his office as are provided by subsection 2.

(4) The proper officer in whose office the certificate of discharge is registered shall on request furnish a certificate of the entry of the discharge in the records of his office.

Inspection
of records.

7. Upon payment of the prescribed fees every person shall have access to and be entitled to inspect the books of any proper officer containing records or entries of assignments or documents registered or filed under the provisions of this Act, and no person shall be required, as a condition of his right thereto, to disclose the name of the person in respect of whom such access or inspection is sought, and every proper officer shall, upon request accompanied by payment of the prescribed fees, produce for inspection any assignment or document so registered or filed in his office.

Registration
districts and
offices.

8. For the purpose of registration of assignments or other documents each county and provisional judicial district in Ontario shall be a registration district and the clerk of the county or district court shall be the proper officer for the registration of assignments or documents in that registration district.

Taking
affidavits.

9.—(1) Affidavits required by this Act may be taken and made before the proper officer of any registration district or before any person, whether within or without Ontario, authorized to take affidavits in or concerning any cause, matter or thing pending in any court in Ontario.

Registra-
tion not
affected by
interest of
solicitor.

(2) No registered assignment or other document shall be held to be defective or void solely on the ground that any affidavit required by this Act was taken and made before a solicitor for any of the parties to the assignment or other document, or before a partner of such solicitor, or before a clerk in the office of such solicitor.

10. Any affidavit required by this Act to be made by an assignee may, in the event of his death be made by his executor or administrator or by any of his next-of-kin or by the duly authorized agent of the executor or administrator. Affidavit in case of death of assignee.

11. Where the assignee is a corporation, every affidavit required or permitted by this Act to be made or given by the corporation as such assignee may be made or given by any officer, employee or agent of the corporation. Affidavit on behalf of corporation.

12. Any affidavit made for the purposes of this Act by the agent of an assignee, or of an executor or administrator, or by an officer, employee or agent of a corporation, shall state that the deponent is aware of the circumstances connected with the assignment, and that he has a personal knowledge of the facts deposed to. Affidavit of agent or officer.

13. Where an assignment or certificate of discharge or other document has been executed by a corporation under the provisions of this Act no affidavit of an attesting witness shall be required. No affidavit of execution by corporation.

14. In case, before the making of any affidavit of execution required by this Act, the attesting witness to an assignment, certificate of discharge or other document dies or leaves Ontario, or becomes incapable of making, or refuses to make such affidavit, the judge of the county or district court may make an order permitting the registration of the assignment, certificate of discharge or other document, upon such proof of its due execution and attestation as the judge, by the order, may require and allow. The order, or a copy thereof, shall be annexed to the assignment, certificate of discharge, or other document, as the case may be, and filed therewith, and the registration of the assignment, certificate of discharge or other document under and in compliance with the terms of the order, shall have the like effect as the registration thereof with the affidavit of execution otherwise required by this Act. Power of judge to permit proof of execution otherwise than by affidavit of witness.

15. Subject to the rights of other persons accrued by reason of any omission or misstatement referred to in this section, the judge of the county or district court on being satisfied that the omission to register an assignment within the time prescribed by this Act, or any omission or misstatement in any document filed under this Act, was accidental or due to inadvertence or impossibility, or other sufficient cause, may, in his discretion, extend the time for registration, or order the omission or misstatement to be rectified, on such terms and conditions, if any, as to security, notice by advertisement or otherwise, or as to any other Rectification of omissions and mis-statements.

matter or thing as the judge thinks fit to direct. The order, or a copy thereof, made under this section shall be annexed to the assignment or copy thereof on file or tendered for registration and appropriate entries shall be made in the register.

Defects
and irregu-
larities.

16. No defect or irregularity in the execution or attestation of an assignment, or other document; no defect, irregularity or omission in any affidavit accompanying an assignment or filed in connection with its registration; and no error of a clerical nature or in an immaterial or non-essential part of an assignment shall invalidate or destroy the effect of the assignment or the registration thereof, unless in the opinion of the court or judge before whom a question relating thereto is tried such defect, irregularity, omission, or error has actually misled some person whose interests are affected by the assignment.

Evidence
of records.

17. Copies of an assignment, certificate of discharge or other document registered or filed under this Act certified by the registration clerk shall be received as *prima facie* evidence for all purposes as if the original assignment or document were produced and also as *prima facie* evidence of the execution of the original assignment or document according to the purport of such copy, and the clerk's certificate shall also be *prima facie* evidence of the date and hour of registration and filing.

Fees.

18. For services under this Act each registration clerk shall be entitled to receive the following fees:

1. For filing and registering an assignment,—fifty cents.
2. For filing and registering a certificate of discharge,—twenty-five cents.
3. For a general search,—fifty cents.
4. For any certificate of registration or discharge or other certificate for purposes of this Act,—twenty-five cents.
5. For copy of any document filed under this Act, including certificate, every 100 words,—ten cents.

Uniform
construction
of Act.

19. This Act shall be so interpreted and construed as to effect its general purpose of making uniform the law of those Provinces which enact it.

Rev. Stat.,
c. 166,
repealed.

20. *The Assignment of Book Debts Act*, being chapter 166 of the Revised Statutes, 1927, is repealed.

Commence-
ment of
Act.

21. This Act shall come into force on a day to be named by the Lieutenant-Governor by his Proclamation.

BILL

An Act to make Uniform the Law respecting
the Assignments of Book Debts.

1st Reading

February 13th, 1931

2nd Reading

February 16th, 1931

3rd Reading

April 1st, 1931

MR. PRICE

No. 73

2ND SESSION, 18TH LEGISLATURE, ONTARIO
21 GEORGE V, 1931

BILL

An Act to make Uniform the Law respecting Wills.

MR. PRICE

TORONTO
PRINTED BY HERBERT H. BALL
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

No. 73.

1931.

BILL

. An Act to make Uniform the Law respecting Wills.

(As revised and approved by the Conference of Commissioners on Uniformity of Legislation in Canada in September, 1929.)

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Preliminary.

Short title.

1. This Act may be cited as *The Wills Act, 1931*.

Interpretation.

2. In this Act, unless the context otherwise requires, "Will" includes a testament, a codicil, an appointment by will or by writing in the nature of a will in exercise of a power and any other testamentary disposition.

PART I.

General.

Property disposable by Will.

3. Any person may devise, bequeath or dispose of by will all real and personal property whether acquired before or after the making of his will to which at the time of his death he is entitled either at law or in equity for an interest not ceasing at his death, including therein:

Estate *pur autre vie*.

(a) Estates *pur autre vie*, whether there is or is not any special occupant thereof and whether the same are corporeal or incorporeal hereditaments;

Contingent interests.

(b) Contingent, executory or other future interests in any real or personal property, whether the testator is or is not ascertained as the person or one of the persons in whom the same may respectively become vested, and whether he is entitled thereto under the instrument by which the same were respectively created or under any disposition thereof by deed or will; and

EXPLANATORY NOTES

Section 2: This section replaces a very wordy and antiquated interpretation section and retains only what is considered necessary by the Commissioners.

(NOTE.—Sections 2 to 5 of the present Act deal with Wills made before the 1st day of January, 1874, and might have been left unrepealed. They are taken care of however in subsection 2 of section 39 which provides that the present Wills Act is to continue in force as though unrepealed with respect to Wills made before the coming into force of the proposed Act.)

Section 3: This is practically the same as the present section 8 with a rearrangement in wording.

Rights of
entry.

(c) Rights of entry for conditions broken and other rights of entry.

Infant.

4. Except as hereinafter otherwise provided, no will made by any person under the age of twenty-one years shall be valid.

Soldiers, etc.

5.—(1) The will of a member of naval, military, air or marine forces when in actual service, or of any mariner or seaman when at sea or in course of a voyage, may be made by a writing signed by him or by some other person in his presence and by his direction without any further formality or any requirement as to the presence of or attestation or signature by any witness.

(2) A member of naval, military, air or marine forces shall be deemed to be in actual service after he has taken some steps under the orders of a superior officer in view of and preparatory to joining the forces engaged in hostilities.

(3) The fact that the member of naval, military, air or marine forces, or the mariner or seaman, is under the age of twenty-one years at the time he makes his will shall not invalidate it.

Execution
of will.

6.—(1) Except as in this Act otherwise provided no will shall be valid unless it is in writing and executed in accordance with the following provisions:—

- (a) It shall be signed at the end or foot thereof by the testator or by some other person in his presence and by his direction;
- (b) The signature shall be made or acknowledged by the testator in the presence of two or more witnesses present at the same time; and
- (c) At least two of such witnesses shall attest and shall subscribe the will in the presence of the testator, but no form of attestation shall be necessary.

Holograph
will.

(2) A holograph will, wholly in the handwriting of the testator and signed by him, may be made without any further formality or any requirement as to the presence of, or attestation or signature by any witness.

Place of
signature.

7.—(1) Every will shall, so far only as regards the position of the signature of the testator or the person signing for him as aforesaid, be valid if the signature is so placed at or after or following or under or beside or opposite to the end of the will that it is apparent on the face of the will that the testator

Section 4: Same as present section 10.

Section 5: This follows the present section 13 and is practically a re-statement of the law as it stands.

Section 6.—(1) Same as subsection 1 of present section 11.

(2) This is new and attention is especially called to it as a substantial change in the law.

Section 7. Same as present section 11 rearranged in modern form.

intended to give effect by the signature to the writing signed as his will.

(2) No will shall be affected by the circumstance—

- (a) that the signature does not follow or is not immediately after the foot or end of the will;
- (b) that a blank space intervenes between the concluding words of the will and the signature;
- (c) that the signature is placed among the words of a testimonium clause or of a clause of attestation or follows or is after or under a clause of attestation either with or without a blank space intervening, or follows or is after or under or beside the name of a subscribing witness;
- (d) that the signature is on a side or page or other portion of the paper or papers containing the will whereon no clause or paragraph or disposing part of the will is written above the signature; or
- (e) that there appears to be sufficient space on or at the bottom of the preceding side or page or other portion of the same paper on which the will is written to contain the signature.

(3) The enumeration of the above circumstances shall not restrict the generality of subsection 1 of this section, but no signature under this Act shall be operative to give effect to any disposition or direction which is underneath or which follows it, nor shall it give effect to any disposition or direction inserted after the signature was made.

Will
exercising
power of
appoint-
ment.

8. Every will made in accordance with the provisions of this Act shall so far as respects the execution and attestation thereof be a valid execution of a power of appointment by will notwithstanding that it has been expressly required that a will in exercise of the power shall be executed with some additional or other form of execution or solemnity.

No publi-
cation.

9. Every will made in accordance with the provisions of this Act shall be valid without any further publication thereof.

Incompet-
ency of
witnesses.

10. If any person who attests the execution of a will is at the time of the execution thereof or becomes at any time afterwards incompetent as a witness to prove the execution thereof, the will shall not on that account be invalid.

Section 8. Same as present section 12.

Section 9. Same as present section 14.

Section 10. Same as present section 15.

Gift to
attesting
witness.

11. If any person attests the execution of a will to whom or to whose then wife or husband any beneficial devise, legacy, estate, interest, gift or appointment of or affecting any real or personal property (other than and except charges and directions for the payment of any debt or debts) is thereby given or made, the devise, legacy, estate, interest, gift or appointment shall so far only as concerns the person attesting the execution of the will or such wife or husband or any person claiming under such wife or husband, be null and void, and the person so attesting shall be competent as a witness to prove the execution of the will or the validity or invalidity thereof; provided that where the will is sufficiently attested without the attestation of any such person, or where no attestation is necessary, the devise, legacy, estate, interest, gift, or appointment shall not be null or void.

Creditor as
witness to
prove
execution.

12. If by a will any real or personal property is charged with a debt or debts and any creditor or the wife or husband of any creditor whose debt is so charged attests the execution of the will, the person so attesting shall, notwithstanding such charge, be competent as a witness to prove the execution of the will or the validity or invalidity thereof.

Executor as
witness to
prove
execution.

13. No person shall on account of his being an executor of a will be incompetent as a witness to prove the execution of the will, or the validity or invalidity thereof.

Revocation
by marriage.

14. Every will shall be revoked by the marriage of the testator except—

- (a) where it is declared in the will that the same is made in contemplation of such marriage; or
- (b) where the will is made in exercise of a power of appointment and the real or personal property thereby appointed would not in default of such appointment pass to the heir, executor or administrator of the testator or to the persons entitled to the estate of the testator in case he died intestate.

No revoca-
tion by pre-
sumption.

15. No will shall be revoked by any presumption of intention to revoke the same on the ground of an alteration in circumstances.

Revocation
in general.

16. No will or any part thereof shall be revoked otherwise than,—

- (a) by marriage, as hereinbefore provided;
- (b) by another will executed in accordance with this Act;

Section 11. Substantially the same as present section 16.

Section 12. This is a rearrangement of the present section 17.

Section 13. Same as present section 18.

Section 14. This is the same as subsection 1 of the present section 20 except that it omits clause (b) which provides that a will shall not be revoked by marriage "where the wife or husband of the testator elects to take under the will, by an instrument in writing signed by the wife or husband and filed within one year after the testator's death, in the office of the surrogate clerk at Toronto."

Section 15: Same as present section 21.

Section 16. Same as present section 22.

- (c) by some writing declaring an intention to revoke the same and executed in accordance with the provisions of this Act respecting the execution of a will; or
- (d) by burning, tearing or otherwise destroying the same by the testator or by some person in his presence and by his direction with the intention of revoking the same.

Execution of alterations.

17. No obliteration, interlineation, cancellation by drawing lines across any will or any part thereof or other alteration made in any will after the execution thereof shall be valid or have any effect except so far as the words or effect of the will before such alteration are not apparent unless such alteration is executed in accordance with the provisions of this Act respecting the execution of a will; but the will with such alteration as part thereof shall be held to be duly executed if the signature of the testator and the subscription of the witnesses are made in the margin or in some part of the will opposite or near to such alteration, or at the foot or end of or opposite to a memorandum referring to such alteration and written at the end or in some other part of the will.

Revival.

18.—(1) No will or any part thereof which has been in any manner revoked shall be revived otherwise than by the re-execution thereof or by a codicil executed in accordance with the provisions of this Act respecting the execution of a will, and showing an intention to revive the same.

Partial revival.

(2) When any will which has been partly revoked and afterwards wholly revoked is revived, the revival shall not extend to so much thereof as was revoked before the revocation of the whole thereof, unless an intention to the contrary is shown.

Subsequent conveyances, etc.

19. No conveyance of, or other act relating to any real or personal property comprised in a will made or done subsequently to the execution of the will shall prevent the operation of the will with respect to such estate or interest as the testator had power to dispose of by will at the time of his death.

Will speaking from death.

20. Unless a contrary intention appears by the will every will shall be construed with reference to the real and personal property comprised in it to speak and take effect as if it had been executed immediately before the death of the testator.

Lapsed and void devises.

21. Unless a contrary intention appears by the will, such real property or interest therein as is comprised or intended to be comprised in any devise in the will contained which

Section 17. Same as present section 23.

Section 18. Same as present section 24.

Section 19. Same as present section 25.

Section 20. Same as subsection 1 of present section 26.

Section 21. Same as present section 27.

fails or becomes void by reason of the death of the devisee in the life-time of the testator, or by reason of the devise being contrary to law or otherwise incapable of taking effect, shall be included in the residuary devise, if any, contained in the will.

Inclusion of leaseholds in general devise.

22. Unless a contrary intention appears by the will, a devise of the land of the testator or of the land of the testator in any place or in the occupation of any person mentioned in his will or otherwise described in a general manner and any other general devise which would describe a leasehold estate if the testator had no freehold estate which could be described by it shall be construed to include the leasehold estate of the testator or his leasehold estates, or any of them to which the description extends, as the case may be, as well as freehold estates.

Exercise of general power of appointment by general gift.

23.—(1) Unless a contrary intention appears by the will, a general devise of the real property of the testator or of the real property of the testator in any place or in the occupation of any person mentioned in his will or otherwise described in a general manner shall be construed to include any real property or any real property to which the description will extend, as the case may be, which he may have power to appoint in any manner he may think proper and shall operate as an execution of the power.

(2) Unless a contrary intention appears by the will, a bequest of the personal property of the testator or any bequest of personal property described in a general manner shall be construed to include any personal property or any personal property to which such description will extend, as the case may be, which he may have power to appoint in any manner he may think proper and shall operate as an execution of the power.

Devise without words of limitation.

24. Unless a contrary intention appears by the will, where real property is devised to any person without any words of limitation, the devise shall be construed to pass the fee simple or other the whole estate which the testator had power to dispose of by will in the real property.

Devise to "heir."

25. Where real property is devised to the heir or heirs of the testator or of any other person and no contrary or other intention is signified by the will, the words "heir" and "heirs" shall be construed to mean the person or persons to whom the beneficial interests in the real property would go under the law of Ontario in the case of intestacy.

Meaning of "die without issue," etc.

26. In any devise or bequest of real or personal property, the words "die without issue" or "die without leaving issue"

Section 22. Same as present section 28.

Section 23. Same as present section 29.

Section 24. Same as present section 30 but query whether the words "subject to *The Devolution of Estates Act*" which are in the present section should not be inserted after the word "devise" in the third line.

Section 25. Same as present section 31.

Section 26. Same as present section 32.

or "have no issue" or any other words which import either a want or failure of issue of any person in his lifetime or at the time of his death or an indefinite failure of his issue shall be construed to mean a want or failure of issue in the lifetime or at the time of the death of that person and not an indefinite failure of his issue unless a contrary intention appears by the will; but this Act shall not extend to cases where such words as aforesaid import if no issue described in a preceding gift be born, or if there be no issue who live to attain the age or otherwise answer the description required for obtaining a vested estate by a preceding gift to such issue.

Unlimited
devise to
trustees.

27. Where real property is devised to a trustee without any express limitation of the estate to be taken by the trustee and the beneficial interest in the real property or in the surplus rents and profits thereof is not given to any person for life, or the beneficial interest is given to any person for life, but the purposes of the trust may continue beyond his life, the devise shall be construed to vest in the trustee the fee simple or other the whole legal estate which the testator had power to dispose of by will in the real property and not an estate determinable when the purposes of the trust are satisfied.

Devise to
trustees
otherwise
than for a
term.

28. Where real property is devised to a trustee or executor, the devise shall be construed to pass the fee simple or other the whole estate or interest which the testator had power to d'spose of by will in the real property unless a definite term of years absolute or determinable or an estate of freehold is thereby given to him expressly or by implication.

Devises of
estate tail.

29. Unless a contrary intention appears by the will, where any person to whom any real property is devised for what would have been under the law of England an estate tail or an estate in *quasi entail* dies in the lifetime of the testator leaving issue who would be inheritable under the entail if such estate existed and any such issue are living at the time of the death of the testator, the devise shall not lapse but shall take effect as if the death of that person had happened immediately after the death of the testator.

Gifts to
issue pre-
deceasing
testator.

30. Where any person being a child or other issue of the testator to whom, either as an individual or as a member of a class, any real or personal property is devised, or bequeathed for any estate or interest not determinable at or before the death of that person, dies in the lifetime of the testator leaving issue, and any of the issue of that person are living at the time of the death of the testator, the devise or bequest shall not lapse, but shall, unless a contrary intention appears by the will, take effect as if it had been made directly to the

Section 27. Same as present section 34.

Table 33

Section 28. Same as present section 33.

Section 29. Same as present section 35.

Section 30. Same as subsections 1 and 2 of present section 36.

persons amongst whom and in the shares in which that person's estate would have been divisible if he had died intestate and without debts immediately after the death of the testator.

Illegitimate children.

31. Every illegitimate child of a woman shall be entitled to take under a testamentary gift by or to her or to her children or issue the same benefit as he would have been entitled to if legitimate, unless a contrary intention appears by the will.

Primary liability of mortgaged land.

32.—(1) Where a person dies possessed of, or entitled to, or, under a general power of appointment by his will disposes of, any interest in freehold or leasehold property, which at the time of his death is subject to a mortgage, and the deceased has not by will, deed or other document, signified a contrary or other intention, the interest shall, as between the different persons claiming through the deceased, be primarily liable for the payment or satisfaction of the mortgage debt; and every part of the said interest, according to its value, shall bear a proportionate part of the mortgage debt on the whole thereof.

(2) Such contrary or other intention shall not be deemed to be signified—

- (a) by a general direction for the payment of debts or of all the debts of the testator out of his personal estate, or his residuary real or personal estate, or his residuary real estate; or
- (b) by a charge of debts upon any such estate; unless such intention is further signified by words expressly or by necessary implication referring to all or some part of the mortgage debt.

(3) Nothing in this section shall affect any right of a person entitled to the mortgage debt to obtain payment or satisfaction thereof, either out of the other assets of the deceased or otherwise.

(4) In this section "mortgage" includes an equitable mortgage and any charge whatsoever, whether equitable, statutory or of any other nature, including any lien or claim upon freehold or leasehold property for unpaid purchase money, and "mortgage debt" has a meaning similarly extended.

Executor as trustee of residue.

33.—(1) When any person dies after the passing of this Act having by will appointed any person executor thereof, such executor shall be deemed a trustee of any residue not

Section 31. This is new and special attention is drawn to it as being a substantial change in the law.

Section 32. This is substantially the same as subsection 1 of the present section 37.

Section 33. This is new but is practically a statement of the settled law.

expressly disposed of, for the person or persons, if any, who would be entitled thereto, in the event of intestacy in respect thereof, unless it appears by the will that the person so appointed executor was intended to take such residue beneficially.

(2) Nothing in this section shall affect or prejudice any right to which the executor, if this Act had not been passed, would have been entitled, in cases where there is not any person who would be so entitled.

PART II.

Conflict of Laws.

Immovable
property.

34.—(1) In this Part:

(a) "Immovable property" includes real property and a leasehold or other interest in land;

Movable
property.

(b) "Movable property" includes personal property other than a leasehold or other interest in land.

Lex loci rei
sitae.

(2) The manner of making, the validity and the effect of a will, so far as it relates to immovable property, shall be governed by the law of the place where the property is situate.

Lex
domicilii.

(3) Subject to the provisions of this Part, the manner of making, the validity and the effect of a will, so far as it relates to movable property, shall be governed by the law of the place where the testator was domiciled at the time of his death.

Wills of
movable
property
made within
the
province.

35.—(1) A will made within Ontario, whatever was the domicile of the testator at the time of the making of the will or at the time of his death, shall, so far as it relates to movable property, be held to be well made and be admissible to probate, if it is made in accordance with the provisions of Part I, or if it is made in accordance with the law in force at the time of the making thereof:

(a) of the place where the testator was domiciled when the will was made; or

(b) of the place where the testator had his domicile of origin.

Wills of
movable
property
made
outside the
province.

(2) A will made outside Ontario, whatever was the domicile of the testator at the time of the making of the will or at the time of his death, shall, so far as it relates to movable property,

Section 34. This is new but is a declaration of the law as settled.

Sections 35 and 36. Same remark applies to these sections.

be held to be well made and be admissible to probate, if it is made in accordance with the provisions of Part I, or if it is made in accordance with the law in force at the time of the making thereof,—

- (a) of the place where the testator was domiciled when the will was made;
- (b) of the place where the will was made; or
- (c) of the place where the testator had his domicile of origin.

Change of
domicile.

36. No will shall be held to be revoked or to have become invalid nor shall the construction thereof be altered by reason of any subsequent change of domicile of the person making the same.

PART III.

Supplementary.

Construction
of Act.

37. This Act shall be so interpreted and construed as to effect its general purpose of making uniform the law of those provinces which enact it.

Application
of Act.

38.—(1) Except as provided in subsection 2, this Act shall apply only to wills made after this Act comes into force; and for the purposes of this Act a will which is re-executed or revived by any codicil shall be deemed to be made at the time at which it is so re-executed or revived.

(2) In the case of any person dying after this Act comes into force, section 30 shall apply to his will whether it was made before or after this Act comes into force.

Repeal.

39.—(1) Except as provided in subsection 2, *The Wills Act*, (R.S.O. 1927, c. 149), is repealed.

(2) The said Act shall continue in force, as if unrepealed, in respect of wills made before this Act comes into force.

Commence-
of Act.

40. This Act shall come into force on a day to be named by the Lieutenant-Governor by his Proclamation.

Section 37. This section was asked for by the Commissioners on Uniformity of Legislation.

Section 38. Inserted for sake of certainty.

Section 39. This leaves the present *Wills Act* to apply to wills made before this Act comes into force. This was the subject of considerable discussion by the Commissioners, the point being raised that the Act should apply to the wills of persons dying after the Act came into force, but it was finally decided that it was fairer that the old Act should apply to wills made before the coming into force of the new Act.

Section 40. It would appear wiser that this section should name a date on which the Act should come into force.

BILL

An Act to make Uniform the Law
respecting Wills.

1st Reading

February 13th, 1931

2nd Reading

3rd Reading

MR. PRICE

No. 73

2ND SESSION, 18TH LEGISLATURE, ONTARIO
21 GEORGE V, 1931

BILL

An Act to make Uniform the Law respecting Wills.

MR. PRICE

TORONTO
PRINTED BY HERBERT H. BALL
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

No. 73.

1931.

BILL

An Act to make Uniform the Law respecting
Wills.

(This Bill as originally drafted came from the Commissioners on Uniformity of Legislation, and was passed with amendments by the Legislative Assembly but did not receive the Royal Assent. It is circulated with a view to affording an opportunity for suggestions from the profession.)

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Preliminary.

Short title.

1. This Act may be cited as *The Wills Act, 1931*.

Interpretation.

2. In this Act, unless the context otherwise requires, "Will" includes a testament, a codicil, an appointment by will or by writing in the nature of a will in exercise of a power and any other testamentary disposition.

PART I.

General.

Property disposable by Will.

3. Any person may devise, bequeath or dispose of by will all real and personal property whether acquired before or after the making of his will to which at the time of his death he is entitled either at law or in equity for an interest not ceasing at his death, including therein:

Estate *pur autre vie*.

(a) Estates *pur autre vie*, whether there is or is not any special occupant thereof and whether the same are corporeal or incorporeal hereditaments;

Contingent interests.

(b) Contingent, executory or other future interests in any real or personal property, whether the testator is or is not ascertained as the person or one of the persons in whom the same may respectively become vested, and whether he is entitled thereto under the instrument by which the same were respectively created or under any disposition thereof by deed or will; and

(c) Rights of entry for conditions broken and other ^{Rights of entry.}
rights of entry.

4. Except as hereinafter otherwise provided, no will made ^{Infant.}
by any person under the age of twenty-one years shall be valid.

5.—(1) The will of a member of naval, military, air or ^{Soldiers, etc.}
marine forces when in actual service, or of any mariner or
seaman when at sea or in course of a voyage, may be made
by a writing signed by him or by some other person in his
presence and by his direction without any further formality
or any requirement as to the presence of or attestation or
signature by any witness.

(2) A member of naval, military, air or marine forces shall be
deemed to be in actual service after he has taken some steps
under the orders of a superior officer in view of and preparatory
to joining the forces engaged in hostilities.

(3) The fact that the member of naval, military, air or
marine forces, or the mariner or seaman, is under the age of
twenty-one years at the time he makes his will shall not
invalidate it.

6. Except as in this Act otherwise provided no will shall ^{Execution of will.}
be valid unless it is in writing and executed in accordance with
the following provisions:—

- (a) It shall be signed at the end or foot thereof by the
testator or by some other person in his presence and
by his direction;
- (b) The signature shall be made or acknowledged by the
testator in the presence of two or more witnesses
present at the same time; and
- (c) At least two of such witnesses shall attest and shall
subscribe the will in the presence of the testator, but
no form of attestation shall be necessary.

7.—(1) Every will shall, so far only as regards the position ^{Place of signature}
of the signature of the testator or the person signing for him
as aforesaid, be valid if the signature is so placed at or after
or following or under or beside or opposite to the end of the
will that it is apparent on the face of the will that the testator
intended to give effect by the signature to the writing signed
as his will.

(2) No will shall be affected by the circumstance —

- (a) that the signature does not follow or is not immediately after the foot or end of the will;
- (b) that a blank space intervenes between the concluding words of the will and the signature;
- (c) that the signature is placed among the words of a testimonium clause or of a clause of attestation or follows or is after or under a clause of attestation either with or without a blank space intervening, or follows or is after or under or beside the name of a subscribing witness;
- (d) that the signature is on a side or page or other portion of the paper or papers containing the will whereon no clause or paragraph or disposing part of the will is written above the signature; or
- (e) that there appears to be sufficient space on or at the bottom of the preceding side or page or other portion of the same paper on which the will is written to contain the signature.

(3) The enumeration of the above circumstances shall not restrict the generality of subsection 1 of this section, but no signature under this Act shall be operative to give effect to any disposition or direction which is underneath or which follows it, nor shall it give effect to any disposition or direction inserted after the signature was made.

Will
exercising
power of
appoint-
ment.

8. Every will made in accordance with the provisions of this Act shall so far as respects the execution and attestation thereof be a valid execution of a power of appointment by will notwithstanding that it has been expressly required that a will in exercise of the power shall be executed with some additional or other form of execution or solemnity.

No publi-
cation.

9. Every will made in accordance with the provisions of this Act shall be valid without any further publication thereof.

Incompet-
ency of
witnesses.

10. If any person who attests the execution of a will is at the time of the execution thereof or becomes at any time afterwards incompetent as a witness to prove the execution thereof, the will shall not on that account be invalid.

Gift to
attesting
witness.

11. If any person attests the execution of a will to whom or to whose then wife or husband any beneficial devise, legacy, estate, interest, gift or appointment of or affecting any real or personal property (other than and except charges and

directions for the payment of any debt or debts) is thereby given or made, the devise, legacy, estate, interest, gift or appointment shall so far only as concerns the person attesting the execution of the will or such wife or husband or any person claiming under such wife or husband, be null and void, and the person so attesting shall be competent as a witness to prove the execution of the will or the validity or invalidity thereof; provided that where the will is sufficiently attested without the attestation of any such person, or where no attestation is necessary, the devise, legacy, estate, interest, gift, or appointment shall not be null or void.

12. If by a will any real or personal property is charged with a debt or debts and any creditor or the wife or husband of any creditor whose debt is so charged attests the execution of the will, the person so attesting shall, notwithstanding such charge, be competent as a witness to prove the execution of the will or the validity or invalidity thereof. Creditor as witness to prove execution.

13. No person shall on account of his being an executor of a will be incompetent as a witness to prove the execution of the will, or the validity or invalidity thereof. Executor as witness to prove execution.

14. Every will shall be revoked by the marriage of the testator except— Revocation by marriage.

- (a) where it is declared in the will that the same is made in contemplation of such marriage; or
- (b) where the will is made in exercise of a power of appointment and the real or personal property thereby appointed would not in default of such appointment pass to the heir, executor or administrator of the testator or to the persons entitled to the estate of the testator in case he died intestate.

15. No will shall be revoked by any presumption of an intention to revoke the same on the ground of an alteration in circumstances. No revocation by presumption.

16. No will or any part thereof shall be revoked otherwise than,— Revocation in general.

- (a) by marriage, as hereinbefore provided;
- (b) by another will executed in accordance with this Act;
- (c) by some writing declaring an intention to revoke the same and executed in accordance with the provisions of this Act respecting the execution of a will; or

- (d) by burning, tearing or otherwise destroying the same by the testator or by some person in his presence and by his direction with the intention of revoking the same.

Execution of alterations.

17. No obliteration, interlineation, cancellation by drawing lines across any will or any part thereof or other alteration made in any will after the execution thereof shall be valid or have any effect except so far as the words or effect of the will before such alteration are not apparent unless such alteration is executed in accordance with the provisions of this Act respecting the execution of a will; but the will with such alteration as part thereof shall be held to be duly executed if the signature of the testator and the subscription of the witnesses are made in the margin or in some part of the will opposite or near to such alteration, or at the foot or end of or opposite to a memorandum referring to such alteration and written at the end or in some other part of the will.

Revival.

18.—(1) No will or any part thereof which has been in any manner revoked shall be revived otherwise than by the re-execution thereof or by a codicil executed in accordance with the provisions of this Act respecting the execution of a will, and showing an intention to revive the same.

Partial revival.

(2) When any will which has been partly revoked and afterwards wholly revoked is revived, the revival shall not extend to so much thereof as was revoked before the revocation of the whole thereof, unless an intention to the contrary is shown.

Subsequent conveyances, etc.

19. No conveyance of, or other act relating to any real or personal property comprised in a will made or done subsequently to the execution of the will shall prevent the operation of the will with respect to such estate or interest as the testator had power to dispose of by will at the time of his death.

Will speaking from death.

20. Unless a contrary intention appears by the will every will shall be construed with reference to the real and personal property comprised in it to speak and take effect as if it had been executed immediately before the death of the testator.

Lapsed and void devises.

21. Unless a contrary intention appears by the will, such real property or interest therein as is comprised or intended to be comprised in any devise in the will contained which fails or becomes void by reason of the death of the devisee in the life-time of the testator, or by reason of the devise being contrary to law or otherwise incapable of taking effect, shall be included in the residuary devise, if any, contained in the will.

22. Unless a contrary intention appears by the will, a devise of the land of the testator or of the land of the testator in any place or in the occupation of any person mentioned in his will or otherwise described in a general manner and any other general devise which would describe a leasehold estate if the testator had no freehold estate which could be described by it shall be construed to include the leasehold estate of the testator or his leasehold estates, or any of them to which the description extends, as the case may be, as well as freehold estates.

Inclusion of leaseholds in general devise.

23.—(1) Unless a contrary intention appears by the will, a general devise of the real property of the testator or of the real property of the testator in any place or in the occupation of any person mentioned in his will or otherwise described in a general manner shall be construed to include any real property or any real property to which the description will extend, as the case may be, which he may have power to appoint in any manner he may think proper and shall operate as an execution of the power.

Exercise of general power of appointment by general gift.

(2) Unless a contrary intention appears by the will, a bequest of the personal property of the testator or any bequest of personal property described in a general manner shall be construed to include any personal property or any personal property to which such description will extend, as the case may be, which he may have power to appoint in any manner he may think proper and shall operate as an execution of the power.

24. Unless a contrary intention appears by the will, where real property is devised to any person without any words of limitation, the devise shall be construed to pass the fee simple or other the whole estate which the testator had power to dispose of by will in the real property.

Devise without words of limitation.

25. Where real property is devised to the heir or heirs of the testator or of any other person and no contrary or other intention is signified by the will, the words "heir" and "heirs" shall be construed to mean the person or persons to whom the beneficial interests in the real property would go under the law of Ontario in the case of intestacy.

Devise to "heir."

26. In any devise or bequest of real or personal property, the words "die without issue" or "die without leaving issue" or "have no issue" or any other words which import either a want or failure of issue of any person in his lifetime or at the time of his death or an indefinite failure of his issue shall be construed to mean a want or failure of issue in the lifetime or at the time of the death of that person and not an indefinite failure of his issue unless a contrary intention appears by the

Meaning of "die without issue," etc.

will; but this Act shall not extend to cases where such words as aforesaid import if no issue described in a preceding gift be born, or if there be no issue who live to attain the age or otherwise answer the description required for obtaining a vested estate by a preceding gift to such issue.

Unlimited
devise to
trustees.

27. Where real property is devised to a trustee without any express limitation of the estate to be taken by the trustee and the beneficial interest in the real property or in the surplus rents and profits thereof is not given to any person for life, or the beneficial interest is given to any person for life, but the purposes of the trust may continue beyond his life, the devise shall be construed to vest in the trustee the fee simple or other the whole legal estate which the testator had power to dispose of by will in the real property and not an estate determinable when the purposes of the trust are satisfied.

Devise to
trustees
otherwise
than for a
term.

28. Where real property is devised to a trustee or executor, the devise shall be construed to pass the fee simple or other the whole estate or interest which the testator had power to dispose of by will in the real property unless a definite term of years absolute or determinable or an estate of freehold is thereby given to him expressly or by implication.

Devises of
estate tail.

29. Unless a contrary intention appears by the will, where any person to whom any real property is devised for what would have been under the law of England an estate tail or an estate in *quasi entail* dies in the lifetime of the testator leaving issue who would be inheritable under the entail if such estate existed and any such issue are living at the time of the death of the testator, the devise shall not lapse but shall take effect as if the death of that person had happened immediately after the death of the testator.

When gifts
to issue or
certain other
relatives
not to lapse
by reason of
death in
life-time of
testator.

30.—(1) Where any person, being a child or other issue or the brother or sister of the testator to whom any real estate or personal estate is devised or bequeathed, for any estate or interest not determinable at or before the death of such person, dies in the life-time of the testator either before or after the making of the will, leaving issue, and any of the issue of such person are living at the time of the death of the testator, such devise or bequest shall not lapse but shall take effect as if the death of such person had happened immediately after the death of the testator, unless a contrary intention appears by the will.

Application
of section to
bequest to
class.

(2) The provisions of this section shall apply to a devise or a bequest to children or other issue or to brothers or sisters as a class.

31.—(1) Where a person dies possessed of, or entitled to, or, under a general power of appointment by his will disposes of, any interest in freehold or leasehold property, which at the time of his death is subject to a mortgage, and the deceased has not by will, deed or other document, signified a contrary or other intention, the interest shall, as between the different persons claiming through the deceased, be primarily liable for the payment or satisfaction of the mortgage debt; and every part of the said interest, according to its value, shall bear a proportionate part of the mortgage debt on the whole thereof.

Primary liability of mortgaged land.

(2) Such contrary or other intention shall not be deemed to be signified—

- (a) by a general direction for the payment of debts or of all the debts of the testator out of his personal estate, or his residuary real or personal estate, or his residuary real estate; or
- (b) by a charge of debts upon any such estate; unless such intention is further signified by words expressly or by necessary implication referring to all or some part of the mortgage debt.

(3) Nothing in this section shall affect any right of a person entitled to the mortgage debt to obtain payment or satisfaction thereof, either out of the other assets of the deceased or otherwise.

(4) In this section “mortgage” includes an equitable mortgage and any charge whatsoever, whether equitable, statutory or of any other nature, including any lien or claim upon freehold or leasehold property for unpaid purchase money, and “mortgage debt” has a meaning similarly extended.

32.—(1) When any person dies after the passing of this Act having by will appointed any person executor thereof, such executor shall be deemed a trustee of any residue not expressly disposed of, for the person or persons, if any, who would be entitled thereto, in the event of intestacy in respect thereof, unless it appears by the will that the person so appointed executor was intended to take such residue beneficially.

Executor as trustee of residue.

(2) Nothing in this section shall affect or prejudice any right to which the executor, if this Act had not been passed, would have been entitled, in cases where there is not any person who would be so entitled.

PART II.

Conflict of Laws.

Immovable
property.

33.—(1) In this Part:

(a) “Immovable property” includes real property and a leasehold or other interest in land;

Movable
property.

(b) “Movable property” includes personal property other than a leasehold or other interest in land.

Lex loci rei
sitae.

(2) The manner of making, the validity and the effect of a will, so far as it relates to immovable property, shall be governed by the law of the place where the property is situate.

Lex
domicilii

(3) Subject to the provisions of this Part, the manner of making, the validity and the effect of a will, so far as it relates to movable property, shall be governed by the law of the place where the testator was domiciled at the time of his death.

Wills of
movable
property
made within
the
province.

34.—(1) A will made within Ontario, whatever was the domicile of the testator at the time of the making of the will or at the time of his death, shall, so far as it relates to movable property, be held to be well made and be admissible to probate, if it is made in accordance with the provisions of Part I, or if it is made in accordance with the law in force at the time of the making thereof:

(a) of the place where the testator was domiciled when the will was made; or

(b) of the place where the testator had his domicile of origin.

Wills of
movable
property
made
outside the
province.

(2) A will made outside Ontario, whatever was the domicile of the testator at the time of the making of the will or at the time of his death, shall, so far as it relates to movable property, be held to be well made and be admissible to probate, if it is made in accordance with the provisions of Part I, or if it is made in accordance with the law in force at the time of the making thereof,—

(a) of the place where the testator was domiciled when the will was made;

(b) of the place where the will was made; or

(c) of the place where the testator had his domicile of origin.

35. No will shall be held to be revoked or to have become ^{Change of domicile.} invalid nor shall the construction thereof be altered by reason of any subsequent change of domicile of the person making the same.

PART III.

Supplementary.

36. This Act shall apply only to wills made after this Act ^{Application of Act.} comes into force; and for the purposes of this Act a will which is re-executed or revived by any codicil shall be deemed to be made at the time at which it is so re-executed or revived.

37.—(1) Except as provided in subsection 2, *The Wills Act*, ^{Repeal.} (R.S.O. 1927, c. 149), is repealed.

(2) The said Act shall continue in force, as if unrepealed, in respect of wills made before this Act comes into force.

38. This Act shall come into force on a day to be named ^{Commence- of Act.} by the Lieutenant-Governor by his Proclamation.

BILL

An Act to make Uniform the Law
respecting Wills.

1st Reading

February 13th, 1931

2nd Reading

February 19th, 1931

3rd Reading

April 1st, 1931

MR. PRICE

No. 74

2ND SESSION, 18TH LEGISLATURE, ONTARIO
21 GEORGE V, 1931

BILL

An Act to amend The Municipal Act.

MR. MCBRIEN

TORONTO
PRINTED BY HERBERT H. BALL
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

BILL

An Act to amend The Municipal Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Rev. Stat.,
c. 233, s. 437,
repealed.

1. Section 437 of *The Municipal Act* is repealed and the following substituted therefor:

Expenses of
entertaining
guests and
for
travelling
on civic
business.

437. The council of a city, town, village, county or township may pay for or towards the reception or entertainment of persons of distinction or the celebration of events or matters of national interest or importance, or for or towards travelling or other expenses incurred in respect to matters pertaining to or affecting the interests of the corporation, a sum not exceeding in any year in the case of

- (a) a city having a population of not less than 200,000—\$30,000;
- (b) a city having a population of not less than 100,000—\$20,000;
- (c) a city having a population of not less than 50,000—\$10,000;
- (d) a city or town having a population of not less than 20,000—\$2,500;
- (e) a city or town having a population of not less than 10,000—\$1,000;
- (f) a county—\$1,500;
- (g) other municipalities—\$500.

EXPLANATORY NOTE

The only change in present section 437 involved in the proposed section is with reference to cities under clause a the spending power of the council of which is increased from \$20,000 to \$30,000.

BILL

An Act to amend The Municipal Act.

1st Reading

February 16th, 1931

2nd Reading

3rd Reading

MR. MCBRIEN

2ND SESSION, 18TH LEGISLATURE, ONTARIO
21 GEORGE V, 1931

BILL

An Act to amend The Assessment Act.

MR. MCBRIEN

No. 75

1931

BILL

An Act to amend The Assessment Act. .

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Rev. Stat.,
c. 238, s. 50,
subs. 5,
amended.

1. Subsection 5 of section 50 of *The Assessment Act* is amended by adding thereto the following words: "and except that the company shall be liable to business assessment in respect to land occupied or used for the purpose of an hotel," so that the subsection will now read as follows:

Exemption
from other
assessments.

- (5) A railway company assessed under this section shall be exempt from assessment in any other manner for municipal purposes except for local improvements and except that the company shall be liable to business assessment in respect to land occupied or used for the purpose of an hotel.

EXPLANATORY NOTE

This Bill is for the purpose of taking away from a railway the exemption from business assessment which it now enjoys with respect to its hotels.

BILL

An Act to amend The Assessment Act.

1st Reading

February 16th, 1931

2nd Reading

3rd Reading

MR. MCBRIEN

No. 76

2ND SESSION, 18TH LEGISLATURE, ONTARIO
21 GEORGE V, 1931

BILL

An Act to amend The Highway Traffic Act.

MR. ELLIS

TORONTO
PRINTED BY HERBERT H. BALL
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

No. 76.

1931.

BILL

An Act to amend The Highway Traffic Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Rev. Stat.,
c. 251, s. 23,
amended.

1. Section 23 of *The Highway Traffic Act*, is amended by adding thereto the following subsection:

Full stop at
railway
crossings.

(1a) No motor vehicle shall be driven over any highway crossing of a railway at rail level without first coming to a full stop immediately before entering or proceeding to drive over such crossing; provided, however, that this subsection shall not apply to a highway crossing of an electric railway which is a street railway.

EXPLANATORY NOTE

This amendment requires that all motor vehicles must stop before proceeding over a level railway crossing, other than a street railway crossing.

BILL

An Act to amend The Highway Traffic Act.

1st Reading

February 17th, 1931

2nd Reading

3rd Reading

MR. ELLIS

No. 77

2ND SESSION, 18TH LEGISLATURE, ONTARIO
21 GEORGE V, 1931

BILL

An Act to amend The Municipal Act.

MR. ELLIS

TORONTO
PRINTED BY HERBERT H. BALL
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

No. 77

1931

BILL

An Act to amend The Municipal Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Rev. Stat.,
c. 233, s. 278,
repealed.

1. Section 278 of *The Municipal Act* is repealed and the following substituted therefor;

When
ratepayers
may vote
more than
once.

278. In a municipality divided into wards a voter shall not be entitled to vote more than once on any by-law, including a money by-law, or on any question submitted to the electors unless it is otherwise expressly provided by the Act, by-law or other authority under which the vote is taken.

EXPLANATORY NOTE

The repeal of present section 278 and its re-enactment in the form set forth in this Bill is to restrict the right of a qualified ratepayer to vote once only on money by-laws except as stated in the amendment. Otherwise the effect of the present section remains unchanged in the re-enacted form.

BILL

An Act to amend The Municipal Act.

1st Reading

February 17th, 1931

2nd Reading

3rd Reading

MR. ELLIS

2ND SESSION, 18TH LEGISLATURE, ONTARIO
21 GEORGE V, 1931

BILL

An Act to amend The Municipal Act.

MR. ELLIS

No. 78

1931

BILL

An Act to amend the Municipal Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Rev. Stat.,
c. 233, s. 200,
subs. 1,
amended.

1. Subsection 1 of section 200 of *The Municipal Act* is amended by striking out the words "second Monday in January of the year for which the council is elected" in the third and fourth lines and inserting in lieu thereof the words "first Monday after the annual election," so that the said subsection will now read as follows:

First
meeting of
council.

- (1) Subject to subsection 2 the first meeting of every council, except a county council, shall be held on the first Monday after the annual election, at eleven o'clock in the forenoon; and the first meeting of every county council shall be held on the fourth Tuesday of the same month, at two o'clock in the afternoon, but the council of any county may, by by-law, provide that the first meeting shall be held at half-past seven o'clock in the afternoon of such fourth Tuesday or at two o'clock in the afternoon or at half-past seven o'clock in the afternoon of the next preceding Monday.

Rev. Stat.,
c. 233, s. 200,
amended.

2. Section 200 of *The Municipal Act* is amended by adding thereto the following subsection:

First
meeting on
acclamation.

- (1a) Where all the members of the council of a local municipality are elected by acclamation the first meeting of such council shall be held on the day on which it would have been held had there been no such acclamation.

Rev. Stat.,
c. 233,
s. 200,
repealed.

3. Subsection 2 of section 200 of *The Municipal Act* is repealed, and the following substituted therefor:

Time of
first meeting
may be
altered.

- (2) The council of any local municipality may by by-law fix an hour other than the hour mentioned in subsection 1 at which such first meeting shall be held.

EXPLANATORY NOTES

Section 1. The purpose of this section is to fix the date of the first meeting of every council, other than a county council, on the first Monday after election so that councils elected on the first Monday in December will commence functioning on the following Monday instead of the first Monday of January as at present.

Section 2. This section is to prevent doubt arising as to the date of the first meeting of council when its members are elected by acclamation.

Section 3. The repealed subsection 2 is no longer necessary if section 1 of the Bill is enacted. The new subsection permits the time of the first meeting of council to be fixed by by-law at a time other than 11 a.m.

Rev. Stat.,
c. 233, s. 261,
amended.

4. Section 261 of *The Municipal Act* is amended by striking out the words "The council of a local municipality shall not, after the 31st day of December in the year for which its members were elected" in the first three lines and substituting therefor the words "The council of a local municipality shall not after the annual election at which the members of the succeeding council have been elected," so that said section will now read as follows:

Existing
council not
to incur
expendi-
tures, etc.,
after
election of
new council.

261. The council of a local municipality shall not, after the annual election at which the members of the succeeding council have been elected, pass any by-law or resolution for, or which involves, directly or indirectly, the payment of money, or enter into any contract or obligation on the part of the corporation, or appoint to or dismiss from office any officer under the control of the council, or do any other corporate act, except in case of extreme urgency, or unless the act is one which the council is required by law to do.

Section 4. The amendment to section 261 is to prevent councils incurring expenditures or dismissing officials after a new council has been elected so as to apply equally in municipalities where elections are held on the first Monday in December as in other municipalities.

BILL

An Act to amend The Municipal Act.

1st Reading

February 17th, 1931

2nd Reading

3rd Reading

MR. ELLIS

No. 79

2ND SESSION, 18TH LEGISLATURE, ONTARIO
21 GEORGE V, 1931

BILL

An Act to amend The Summary Convictions Act.

MR. PRICE

TORONTO
PRINTED BY HERBERT H. BALL
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

No. 79

1931

BILL

An Act to amend The Summary Convictions Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.

1. This Act may be cited as *The Summary Convictions Act, 1931*.

Rev. Stat.,
c. 121, s. 7,
amended.

2. Section 7 of *The Summary Convictions Act* is amended by adding thereto the following subsection:—

Transcrip-
tion of
evidence.

(2) Where the evidence in any case is taken down in shorthand there shall be no transcription of the evidence unless,—

- (a) one of the parties to the case requires a transcription;
- (b) an appeal is taken from the conviction or order; or
- (c) the clerk of the peace requires a transcription to be made.

Commence-
ment of Act.

3. This Act shall come into force on the day upon which it receives the Royal Assent.

EXPLANATORY NOTE

This amendment is intended to prevent unnecessary expense being incurred in preliminary investigation of criminal matters.

BILL

An Act to amend The Summary
Convictions Act.

1st Reading

February 18th, 1931

2nd Reading

3rd Reading

MR. PRICE

No. 80

2ND SESSION, 18TH LEGISLATURE, ONTARIO
21 GEORGE V, 1931

BILL

An Act to amend The Justices of the Peace Act.

MR. PRICE

TORONTO
PRINTED BY HERBERT H. BALL
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

BILL

An Act to amend The Justices of the Peace Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Justices of the Peace Act, 1931*.

Rev. Stat.,
c. 118,
ss. 17, 18
repealed.

2. Sections 17 and 18 of *The Justices of the Peace Act* are repealed and the following substituted therefor:

Return of
fines and
penalties
imposed;
when and
to whom
to be made.

17.—(1) Where a justice of the peace tries any offence,—

(a) under a municipal by-law, or

(b) in the territorial jurisdiction of a police magistrate where there is no police magistrate available,

he shall make a return in writing to the clerk of the peace on or before the second Tuesday in March, June, September and December in every year for the three months ending on the last day of the next preceding month, and such return shall show the disposition of every case or matter tried or dealt with by him and such return shall include the receipt and application by him of any moneys received by way of fine, forfeiture, penalty or damages from any person convicted.

What
matters
to be
included
in return.

(2) Every such return shall include all convictions and other matters not included in the previous return and also all cases where a fine or any part thereof has been paid since the last return, and in the column for observations shall be written the words "paid on case formerly returned."

Where two
justices act.

(3) In the case of a conviction before two or more justices present and joining therein they shall make the return forthwith.

EXPLANATORY NOTE

Section 17 of *The Justices of the Peace Act* is the section providing for the return of convictions by justices of the peace to be made quarterly to the clerk of the peace. The new section is intended to provide for cases which are not expressly dealt with in the present section.

The present sections 17 and 18 were enacted many years ago when there were comparatively few police magistrates. In practice the duties of justices of the peace are confined almost entirely to the issue of summonses and warrants in criminal matters. The new sections are more explicit in that they require not only the return of convictions but a record of the disposition of every case coming before the justice of the peace together with a proper account of the fees and fines received.

Filing and
entry.

- (4) All returns so received by the clerk of the peace shall be filed by him and shall be entered by him quarterly in a book to be kept for that purpose.

18. Where a justice of the peace or two or more justices of the peace act at the request of a police magistrate, the return provided for in the next preceding section shall be made to that police magistrate and shall be included in the return required to be made by him by any regulation made under *The Magistrates Act*.

Rev. Stat.,
c. 119.

Commence-
ment of Act.

3. This Act shall come into force on the day upon which it receives the Royal Assent.

BILL

An Act to amend The Justices of
The Peace Act.

1st Reading

February 18th, 1931

2nd Reading

3rd Reading

Mr. PRICE

No. 80

2ND SESSION, 18TH LEGISLATURE, ONTARIO
21 GEORGE V, 1931

BILL

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What
matters
to be
included
in return.

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Where two
justices act.

(3) In the case of a conviction before two or more justices present and joining therein they shall make the return forthwith.

(4) All returns so received by the clerk of the peace shall be filed by him and shall be entered by him ^{Filing and entry.} quarterly in a book to be kept for that purpose.

18. Where a justice of the peace or two or more justices of the peace act at the request of a police magistrate, the return provided for in the next preceding section shall be made to that police magistrate and shall be included in the return required to be made by him by any regulation made under *The Magistrates Act.* ^{Rev. Stat. c. 119.}

3. This Act shall come into force on the day upon which ^{Commence-} it receives the Royal Assent. _{ment of Act.}

BILL

An Act to amend The Justices of
The Peace Act.

1st Reading

February 18th, 1931

2nd Reading

February 20th, 1931

3rd Reading

March 18th, 1931

MR. PRICE

